



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

CCH398	2
H8385	5
H8386	6
H8387	18
H8388	47
H8389	53
HCR109	79
S5207	80
S5208	82
S5209	88
SF2364	113
SR121	124
SSB3225	127



**Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014**

CCH-398

REPORT OF THE CONFERENCE COMMITTEE
ON HOUSE FILE 398

To the Speaker of the House of Representatives and the
President of the Senate:

We, the undersigned members of the conference committee
appointed to resolve the differences between the House of
Representatives and the Senate on House File 398, a bill for an
Act relating to the duties and responsibilities of insurance
producers under insurance policies or contracts, respectfully
make the following report:

1. That the House recedes from its amendment, S-5194.
2. That the Senate recedes from its amendment, H-8369.
3. That House File 398, as passed by the House, is amended
to read as follows:



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

CCH-398

1. By striking everything after the enacting clause and inserting:

<Section 1. Section 522B.1, Code 2014, is amended by adding the following new subsection:

NEW SUBSECTION. 12A. "*Policy owner*" means a person who is identified as the legal owner of an insurance policy or contract under the terms of the insurance policy or contract, or who is otherwise vested with legal title to the insurance policy or contract through a valid assignment completed in accordance with the terms of the insurance policy or contract and is properly recorded as the legal owner of the policy or contract in the records of the insurer. "*Policy owner*" does not include a person who has a mere beneficial interest in an insurance policy or contract.

Sec. 2. Section 522B.11, subsection 7, Code 2014, is amended by adding the following new paragraphs:

NEW PARAGRAPH. c. Notwithstanding the holding in *Pitts v. Farm Bureau Life Ins. Co.*, 818 N.W.2d 91 (Iowa 2012), an insurance producer, while acting within the scope and course of the license provided for by this chapter, is not in the business of supplying information to others unless the requirements of paragraph "a" relating to expanded duties and responsibilities are met.

NEW PARAGRAPH. d. Neither an insurance producer nor an insurer has a duty to change the beneficiary of an insurance policy or contract unless clear written evidence of the policy owner's intent to change a beneficiary of the policy or contract is presented to the insurance producer or insurer in the manner required by the policy or contract prior to the payment of any insurance benefits under the policy or contract. Such evidence shall be provided in the same manner as a claim for benefits under the policy or contract.

NEW PARAGRAPH. e. Notwithstanding the holding in *St. Malachy Roman Catholic Congregation v. Ingram*, 841 N.W.2d

SF398.4456 (7) 85

-2-

av/rj

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

CCH-398

338 (Iowa 2013), an insurance producer owes any duties and responsibilities referred to in this subsection only to the policy owner, the person in privity of contract with the insurance producer, and the principal in the agency relationship with the insurance producer.>

ON THE PART OF THE HOUSE:

ON THE PART OF THE SENATE:

CHIP BALTIMORE, CHAIRPERSON

ROBERT M. HOGG, CHAIRPERSON
(Did not sign CCH)

PETER COWNIE

BILL ANDERSON

MEGAN HESS

THOMAS G. COURTNEY (Did not
sign CCH)

TYLER OLSON (Did not sign CCH)

RANDY FEENSTRA

MARY WOLFE (Did not sign CCH)

MICHAEL E. GRONSTAL



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

House File 2460

H-8385

1 Amend the Senate amendment, H-8349, to House File
2 2460, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 12, by striking lines 26 and 27 and
5 inserting:
6 <Sec. _____. REPEAL. Section 15.343, Code 2014, is
7 repealed.
8 Sec. _____. REPEAL. Section 260F.6A, Code 2014, is
9 repealed.
10 Sec. _____. REPEAL. Section 260F.6B, Code 2014, is
11 repealed.>
12 2. By renumbering as necessary.

SODERBERG of Plymouth



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

Senate File 2363

H-8386

1 Amend Senate File 2363, as amended, passed, and
2 reprinted by the Senate, as follows:

3 1. Page 12, after line 12 by inserting:

4 <Sec. _____. UNIVERSITY OF NORTHERN IOWA. There is
5 appropriated from the general fund of the state to the
6 state board of regents for the fiscal year beginning
7 July 1, 2014, and ending June 30, 2015, the following
8 amount, or so much thereof as is necessary, to be used
9 for the purposes designated:

10 For the university of northern Iowa for salaries,
11 support, maintenance, equipment, financial aid, and
12 miscellaneous purposes and to supplement appropriations
13 made for the same purposes in 2014 Iowa Acts, Senate
14 File 2347, if enacted:

15 \$ 1,775,000

16 Sec. _____. VETERANS.

17 1. There is appropriated from the general fund of
18 the state to the department of workforce development
19 for the fiscal year beginning July 1, 2014, and
20 ending June 30, 2015, the following amount, or so much
21 thereof as is necessary, to be used for the purposes
22 designated:

23 For funding research linking military occupational
24 education, training, and service to existing licensing
25 requirements in this state, for funding implementation
26 of this Act, and for meeting additional demand for
27 workforce development services provided to veterans:

28 \$ 1,000,000

29 2. There is appropriated from the general fund of
30 the state to the department of workforce development
31 for the fiscal year beginning July 1, 2014, and
32 ending June 30, 2015, the following amount, or so much
33 thereof as is necessary, to be used for the purposes
34 designated:

35 For awarding a grant, in the amount appropriated,
36 to a nonprofit workforce services foundation exempt
37 from federal taxation under section 501(c)(3) of the
38 Internal Revenue Code that is administered by an agency
39 of this state for the purposes of paying for the direct
40 expenses of marketing this state to veterans through
41 public-private partnerships:

42 \$ 1,000,000

43 Sec. _____. Section 257.35, Code 2014, is amended by
44 adding the following new subsection:

45 NEW SUBSECTION. 8A. Notwithstanding subsection 1,
46 and in addition to the reduction applicable pursuant
47 to subsection 2, the state aid for area education
48 agencies and the portion of the combined district cost
49 calculated for these agencies for the fiscal year
50 beginning July 1, 2014, and ending June 30, 2015, shall

SF2363.4493 (2) 85

-1-

tm/jp

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 be reduced by the department of management by thirteen
2 million dollars. The reduction for each area education
3 agency shall be prorated based on the reduction that
4 the agency received in the fiscal year beginning July
5 1, 2003.

6 Sec. _____. NEW SECTION. 411.19 State appropriation.

7 1. For fiscal years beginning, on or after July
8 1, 2015, here is appropriated from the general fund
9 of the state for each fiscal year an amount equal
10 to three and seventy-nine hundredths percent of the
11 covered earnable compensation to be distributed to the
12 statewide fire and police retirement system, or to the
13 cities participating in the system, to finance the cost
14 of benefits provided in this chapter by amendments of
15 the Acts of the Sixty-sixth General Assembly, chapter
16 1089. The method of distribution shall be determined
17 by the board of trustees based on information provided
18 by the actuary of the statewide retirement system.

19 2. Moneys appropriated by the state shall not be
20 used to reduce the normal rate of contribution of any
21 city below seventeen percent.>

22 2. Page 14, after line 28 by inserting:

23 <DIVISION _____

24 SCHOOL DISTRICT PER PUPIL TRANSPORTATION COST

25 Sec. _____. Section 257.11, Code 2014, is amended by
26 adding the following new subsection:

27 NEW SUBSECTION. 7A. *School district per pupil*
28 *transportation cost.*

29 a. In order to provide additional funds for school
30 districts with district transportation costs per pupil
31 in excess of the state average transportation costs per
32 pupil, as those amounts are determined under section
33 257.31, subsection 17, a supplementary weighting plan
34 for determining enrollment is adopted.

35 b. A supplementary weighting amount per pupil as
36 determined under paragraph "c" shall be assigned to
37 each transported pupil of a school district that meets
38 the requirement of paragraph "a".

39 c. The department of management shall calculate
40 a supplementary weighting amount per pupil for each
41 school district meeting the requirement of paragraph
42 "a" to generate an amount for the school district equal
43 to the number of transported pupils in the district
44 multiplied by the difference between the district
45 transportation costs per pupil and the state average
46 transportation cost per pupil.

47 d. Eligibility for supplementary weighting under
48 this subsection shall not affect a school district's
49 eligibility for transportation assistance under section
50 257.31, subsection 17.

SF2363.4493 (2) 85

-2-

tm/jp

2/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 Sec. ____ . APPLICABILITY. This division of this Act
2 applies to school budget years beginning on or after
3 July 1, 2014.

4 DIVISION ____

5 PERSONNEL SETTLEMENT AGREEMENTS

6 Sec. ____ . NEW SECTION. 70A.35 Personnel settlement
7 agreements — public employers.

8 1. For purposes of this section:

9 a. "*Personnel settlement agreement*" means a binding
10 legal agreement between an employee and the employee's
11 state employer to resolve a personnel dispute including
12 but not limited to a grievance. "*Personnel settlement*
13 *agreement*" does not include an initial decision by an
14 employee's immediate supervisor concerning a personnel
15 dispute or grievance.

16 b. "*State employer*" means any of the following:

17 (1) The executive branch of state government,
18 to include a unit of state government, which is an
19 authority, board, commission, committee, council,
20 department, or independent agency as defined in section
21 7E.4, including but not limited to each principal
22 central department enumerated in section 7E.5; the
23 office of the governor; and the office of an elective
24 constitutional or statutory officer.

25 (2) The general assembly, or any office or unit
26 under its administrative authority.

27 (3) The judicial branch, as provided in section
28 602.1102.

29 2. a. For personnel settlement agreements with an
30 employee of the executive branch, excluding an employee
31 of the state board of regents or institution under the
32 control of the state board of regents, the personnel
33 settlement agreement shall, to the extent consistent
34 with any provision of an applicable collective
35 bargaining agreement, be reviewed and approved as
36 to form by the attorney general or by the attorney
37 general's designee, and approved by the director of
38 the department of management, the director of the
39 department of administrative services, and the head of
40 the agency involved with the matter at issue.

41 b. For personnel settlement agreements with an
42 employee of the state board of regents or institution
43 under the control of the state board of regents,
44 the personnel settlement agreement shall, to the
45 extent consistent with any provision of an applicable
46 collective bargaining agreement, be reviewed and
47 approved as to form by the attorney general or by
48 the attorney general's designee, and approved by the
49 executive director of the state board of regents and
50 the head of the institution involved with the matter

SF2363.4493 (2) 85

-3-

tm/jp

3/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 at issue. Any costs or payments associated with the
2 personnel settlement agreement shall be authorized by
3 the state appeal board established in section 24.26,
4 and paid as a claim under chapter 25.
5 *c.* For personnel settlement agreements with
6 an employee of the judicial branch, the personnel
7 settlement agreement shall, to the extent consistent
8 with any provision of an applicable collective
9 bargaining agreement, be approved by the state court
10 administrator.
11 *d.* For personnel settlement agreements with an
12 employee of the general assembly, the personnel
13 settlement agreement shall be approved by the
14 legislative council or the appropriate committee of the
15 senate or house of representatives.
16 *e.* For personnel settlement agreements with an
17 employee subject to review and approval pursuant to
18 the requirements of a collective bargaining agreement
19 that are inconsistent with the requirements of this
20 subsection, a report on the personnel settlement
21 agreement shall be provided to those persons who would
22 otherwise review or approve the personnel settlement
23 agreement for that employee.
24 3. Personnel settlement agreements shall not
25 contain any confidentiality or nondisclosure provision
26 that attempts to prevent the disclosure of the
27 personnel settlement agreement. A confidentiality
28 or nondisclosure provision in a personnel settlement
29 agreement is void and unenforceable.
30 4. All personnel settlement agreements shall be
31 made easily accessible to the public on an internet
32 site maintained as follows:
33 *a.* For personnel settlement agreements with an
34 employee of the executive branch, excluding an employee
35 of the state board of regents or institution under
36 the control of the state board of regents, by the
37 department of administrative services.
38 *b.* For personnel settlement agreements with an
39 employee of the state board of regents or institution
40 under the control of the state board of regents, by the
41 state board of regents.
42 *c.* For personnel settlement agreements with an
43 employee of the judicial branch, by the judicial
44 branch.
45 *d.* For personnel settlement agreements with an
46 employee of the general assembly, by the general
47 assembly.
48 Sec. ____ . EFFECTIVE UPON ENACTMENT. This division
49 of this Act, being deemed of immediate importance,
50 takes effect upon enactment.

SF2363.4493 (2) 85

-4-

tm/jp

4/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 DIVISION _____
2 PERSONNEL SETTLEMENT AGREEMENTS EXAMINATION
3 Sec. _____. AUDITOR OF STATE EXAMINATION — PERSONNEL
4 SETTLEMENT AGREEMENTS. The auditor of state shall
5 expend such amount as is necessary for purposes
6 of conducting an examination concerning personnel
7 settlement agreements made by the state with terminated
8 state employees since January 2011 that were not
9 approved by the state appeal board or decided by the
10 public employment relations board. The examination
11 shall include the nature of the positions subject to
12 termination, the payments provided and the funding
13 source of the payments, and the identity and authority
14 of the person or persons signing the personnel
15 settlement agreement on behalf of the state. A report
16 on the results of the examination shall be submitted to
17 the general assembly by December 1, 2014. The auditor
18 of state shall be authorized to charge the department
19 of administrative services for costs associated with
20 the examination.

21 Sec. _____. EFFECTIVE UPON ENACTMENT. This division
22 of this Act, being deemed of immediate importance,
23 takes effect upon enactment.

24 DIVISION _____
25 SERVICE CONTRACTS
26 Sec. _____. Section 8.47, subsection 1, unnumbered
27 paragraph 1, Code 2014, is amended to read as follows:
28 The department of administrative services, in
29 cooperation with the office of attorney general and
30 the department of management, shall adopt uniform
31 terms and conditions for service contracts executed
32 by a department or establishment benefiting from
33 service contracts which terms and conditions shall be
34 consistent with the contractual requirements of chapter
35 8F. The terms and conditions shall include but are not
36 limited to all of the following:

37 Sec. _____. Section 8F.3, subsection 3, Code 2014, is
38 amended to read as follows:

39 3. Prior to entering into a service contract with a
40 recipient entity, the oversight agency shall ~~determine~~
41 do all of the following:

42 a. Determine whether the recipient entity can
43 reasonably be expected to comply with the requirements
44 of the service contract. If the oversight entity is
45 unable to determine whether the recipient entity can
46 reasonably be expected to comply with the requirements
47 of the service contract, the oversight entity shall
48 request such information from the recipient entity as
49 described in subsection 1 to make a determination. If
50 the oversight agency determines from the information

SF2363.4493 (2) 85

-5-

tm/jp

5/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 provided that the recipient entity cannot reasonably be
2 expected to comply with the requirements of the service
3 contract, the oversight agency shall not enter into the
4 service contract.

5 b. Perform a cost comparison establishing whether
6 the contract costs from the proposed service contract
7 are less than the costs of having the services provided
8 by an agency. Contract costs shall include direct
9 costs, including salaries and fringe benefits, indirect
10 overhead costs, including the contractor's proportional
11 share of existing administrative salaries and benefits,
12 rent and equipment costs, utilities, and materials.
13 Additionally, transition costs, including unemployment
14 compensation, shall be included in the analysis of
15 contract costs. If the oversight agency determines
16 from the information provided that the contract costs
17 of the recipient entity are not less than the costs
18 of having the services provided by an agency, the
19 oversight agency shall not enter into the service
20 contract.

21 c. If the proposed service contract may result in
22 reduced public employment by an agency in an area,
23 perform an economic impact analysis to consider the
24 impact of the service contract on the possible loss of
25 employment or income in the affected area, impact on
26 social services to include public assistance programs,
27 economic impact on local businesses, any possible
28 changes in tax revenue for the affected area, and any
29 environmental impacts that may result from the service
30 contract.

31 Sec. ____. Section 8F.3, Code 2014, is amended by
32 adding the following new subsection:

33 NEW SUBSECTION. 4. A service contract with a
34 recipient entity shall include the following terms and
35 conditions:

36 a. Specific performance criteria and cost
37 parameters with termination provisions for failure to
38 meet the performance criteria and cost parameters.

39 b. A requirement that the compensation paid to
40 employees of a recipient entity pursuant to the service
41 contract shall be comparable to the compensation paid
42 to public employees performing similar work or the
43 average private sector wage in this state for similar
44 work, whichever is less.

45 c. A provision prohibiting the automatic renewal of
46 the terms of a service contract without complying with
47 the requirements of this section prior to renewing the
48 service contract.

49 d. A provision prohibiting the payment for services
50 under the service contract regardless of whether the

SF2363.4493 (2) 85

-6-

tm/jp

6/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 services are actually provided.

2 Sec. _____. Section 8F.4, Code 2014, is amended by
3 adding the following new subsection:

4 NEW SUBSECTION. 4. An oversight agency shall make
5 information described in section 8F.3, subsection 3,
6 paragraphs "b" and "c", and information required to be
7 reported by a recipient agency pursuant to this section
8 available to the public.

9 Sec. _____. Section 8G.3, subsection 3, paragraph
10 a, Code 2014, is amended by adding the following new
11 subparagraph:

12 NEW SUBPARAGRAPH. (10) A recipient entity as
13 defined in section 8F.2.

14 Sec. _____. Section 8G.4, subsection 2, Code 2014, is
15 amended by adding the following new paragraph:

16 NEW PARAGRAPH. *0j*. Information required to be
17 provided pursuant to chapter 8F.

18 DIVISION

19 STATE EMPLOYMENT HIRING PROCEDURES

20 Sec. _____. NEW SECTION. 70A.21 State employment —
21 designation of ineligibility procedures — penalty.

22 1. A board, commission, agency, or department of
23 the state that seeks to designate an individual as
24 ineligible to apply for; to be considered, referred, or
25 approved for; or to be appointed to employment by the
26 state or any of its boards, commissions, agencies, or
27 departments, shall do all of the following:

28 a. Maintain documentation of the designation
29 of ineligibility, to include signatures from the
30 individual's immediate supervisor and the applicable
31 head of the board, commission, agency, or department,
32 the extent of the individual's ineligibility for state
33 employment, proof of notification of the individual,
34 and any information concerning any appeals regarding
35 the designation.

36 b. Notify the individual prior to or within ten
37 days of discharge of the designation of ineligibility
38 and the extent of the individual's ineligibility for
39 state employment. The notification shall include
40 information on the process for an individual to appeal,
41 remove, or modify the designation of ineligibility.

42 2. Each board, commission, agency, or department
43 of the state shall establish a process for an
44 individual to appeal, remove, or modify a designation
45 of ineligibility. Following a final determination by
46 the board, commission, agency or department within
47 the executive branch of the state relative to an
48 appeal or attempt to remove or modify a designation
49 of ineligibility by an individual, the individual
50 may appeal to the public employment relations board

SF2363.4493 (2) 85

-7-

tm/jp

7/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 created in section 20.5, for individuals subject to the
2 jurisdiction of the board, and to an administrative law
3 judge employed by the department of inspections and
4 appeals, for all other individuals.

5 Sec. _____. **NEW SECTION. 70A.22 State employee**
6 **hiring requirements.**

7 An employer of state employees shall establish
8 procedures providing for the hiring of employees by
9 the employer. The procedures shall provide for the
10 public announcement of vacancies of the employer
11 at least ten days in advance of the date fixed for
12 the filing of applications for the vacancies and
13 for the advertisement of the vacancies through the
14 communications media.

15 DIVISION ____
16 STATE EMPLOYEE BONUSES

17 Sec. _____. **NEW SECTION. 22.13B Executive branch**
18 **bonuses — disclosure.**

19 1. For purposes of this section:

20 a. *"Bonus pay"* means any additional remuneration
21 in an amount exceeding two hundred dollars provided
22 an employee in the form of a bonus, including but
23 not limited to a retention bonus, recruitment bonus,
24 exceptional job performance pay, extraordinary
25 job performance pay, exceptional performance pay,
26 extraordinary duty pay, or extraordinary or special
27 duty pay, and any extra benefit not otherwise provided
28 to other similarly situated employees.

29 b. *"Executive branch employee"* means an employee
30 of the executive branch of state government, which
31 includes any unit of state government, including
32 but not limited to an authority, board, commission,
33 committee, council, department, or independent
34 agency as defined in section 7E.4, and each principal
35 central department enumerated in section 7E.5; the
36 office of the governor; and the office of an elective
37 constitutional or statutory officer.

38 2. A decision to provide bonus pay to an executive
39 branch employee, including the amount paid and the
40 documented reasons and rationale for the bonus paid,
41 shall be a public record.

42 3. All decisions to provide bonus pay to an
43 executive branch employee, including information
44 described in subsection 2, shall be made easily
45 accessible to the public on an internet site maintained
46 as follows:

47 a. For decisions to provide bonus pay to an
48 employee of the executive branch, excluding an employee
49 of the state board of regents or institution under
50 the control of the state board of regents, by the

SF2363.4493 (2) 85

-8-

tm/jp

8/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 department of administrative services.

2 *b.* For decisions to provide bonus pay to an
3 employee of the state board of regents or institution
4 under the control of the state board of regents, by the
5 state board of regents.

6 DIVISION

7 WHISTLEBLOWER PROTECTION

8 Sec. _____. Section 8A.417, subsection 4, Code 2014,
9 is amended by striking the subsection and inserting in
10 lieu thereof the following:

11 4. *a.* For purposes of this subsection, "*a*
12 *disclosure of information permitted by this section*"
13 includes any of the following:

14 (1) A disclosure of any information by the employee
15 to a member or employee of the general assembly if the
16 information can be used by the member or employee of
17 the general assembly in the performance of the member's
18 or employee's duties, regardless of whether the member
19 or employee requested the information.

20 (2) A disclosure of information to any appropriate
21 person if the employee reasonably believes the
22 information evidences a violation of law or rule,
23 mismanagement, a gross abuse of funds, an abuse of
24 authority, or a substantial and specific danger to
25 public health or safety.

26 *b.* A person shall not do any of the following as a
27 reprisal against an employee in a position in a merit
28 system administered by, or subject to approval of,
29 the director, who makes a disclosure of information
30 permitted by this section or who fails to inform
31 the person that the employee made a disclosure of
32 information permitted by this section:

33 (1) Discharge, suspend, or demote the employee, or
34 take any other adverse employment action resulting in
35 a reduction of the employee's pay.

36 (2) Fail to appoint or promote the employee to a
37 position in the merit system or fail to take action
38 regarding an advantage to the employee.

39 *c.* However, an employee may be required to inform
40 the person that the employee made a disclosure of
41 information permitted by this section if the employee
42 represented that the disclosure was the official
43 position of the employee's immediate supervisor or
44 employer.

45 *d.* An employer subject to the requirements of this
46 subsection shall inform the employer's employees on a
47 regular basis of their rights to disclose information
48 as provided in this subsection.

49 *e.* This subsection does not apply if the disclosure
50 of the information is prohibited by statute.

SF2363.4493 (2) 85

-9-

tm/jp

9/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 Sec. _____. Section 8F.3, subsection 1, paragraph d,
2 Code 2014, is amended to read as follows:
3 ~~d. Information regarding any policies adopted~~
4 ~~by the governing body of the recipient entity that~~
5 ~~ensure compliance with section 70A.29 and that prohibit~~
6 ~~taking adverse employment action against employees of~~
7 ~~the recipient entity who disclose information about a~~
8 ~~service contract to the oversight agency, the auditor~~
9 ~~of state, the office of the attorney general, or~~
10 ~~the office of ombudsman and that state whether those~~
11 ~~policies are substantially similar to the protection~~
12 ~~provided to state employees under section 70A.28. The~~
13 ~~information provided shall state whether employees of~~
14 ~~the recipient entity are informed on a regular basis~~
15 ~~of their rights pursuant to section 70A.29 and of~~
16 ~~their rights to disclose information to the oversight~~
17 ~~agency, the office of ombudsman, the auditor of state,~~
18 ~~or the office of the attorney general and the telephone~~
19 ~~numbers of those organizations.~~
20 Sec. _____. Section 70A.28, subsection 1, Code 2014,
21 is amended to read as follows:
22 1. A person who serves as the head of a state
23 department or agency or otherwise serves in a
24 supervisory capacity within the executive or
25 legislative branch of state government shall not
26 prohibit an employee of the state from making a
27 disclosure of information permitted by this section or
28 require an employee of the state to inform the person
29 that the employee made a disclosure of information
30 permitted by this section and shall not prohibit an
31 employee of the state from disclosing any information
32 to a member or employee of the general assembly or from
33 disclosing information to any other public official
34 or law enforcement agency if the employee reasonably
35 believes the information evidences a violation of
36 law or rule, mismanagement, a gross abuse of funds,
37 an abuse of authority, or a substantial and specific
38 danger to public health or safety. However, an
39 employee may be required to inform the person that the
40 employee made a disclosure of information permitted
41 by this section if the employee represented that the
42 disclosure was the official position of the employee's
43 immediate supervisor or employer.
44 Sec. _____. Section 70A.28, subsection 2, Code 2014,
45 is amended by striking the subsection and inserting in
46 lieu thereof the following:
47 2. a. A person shall not do any of the following
48 as a reprisal against an employee in a position in a
49 state employment system administered by, or subject to
50 approval of, a state agency, who makes a disclosure of

SF2363.4493 (2) 85

-10-

tm/jp

10/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 information permitted by this section or who fails to
2 inform the person that the employee made a disclosure
3 of information permitted by this section:
4 (1) Discharge, suspend, or demote the employee, or
5 take any other adverse employment action resulting in
6 a reduction of the employee's pay.
7 (2) Fail to appoint or promote the employee to a
8 position in the state employment system or fail to take
9 action regarding an advantage to the employee.
10 b. However, an employee may be required to inform
11 the person that the employee made a disclosure of
12 information permitted by this section if the employee
13 represented that the disclosure was the official
14 position of the employee's immediate supervisor or
15 employer.
16 Sec. _____. Section 70A.28, Code 2014, is amended by
17 adding the following new subsection:
18 NEW SUBSECTION. 2A. For purposes of this section,
19 "a disclosure of information permitted by this section"
20 includes any of the following:
21 a. A disclosure of any information by the employee
22 to a member or employee of the general assembly if the
23 information can be used by the member or employee of
24 the general assembly in the performance of the member's
25 or employee's duties, regardless of whether the member
26 or employee requested the information.
27 b. A disclosure of information to any appropriate
28 person if the employee reasonably believes the
29 information evidences a violation of law or rule,
30 mismanagement, a gross abuse of funds, an abuse of
31 authority, or a substantial and specific danger to
32 public health or safety.
33 Sec. _____. Section 70A.28, subsection 5, paragraph
34 a, Code 2014, is amended to read as follows:
35 a. A person who violates subsection 2 is liable to
36 an aggrieved employee for affirmative relief including
37 reinstatement, with or without back pay, actual
38 damages, or any other equitable relief the court deems
39 appropriate, including attorney fees and costs.
40 Sec. _____. Section 70A.29, Code 2014, is amended by
41 adding the following new subsection:
42 NEW SUBSECTION. 01. For purposes of this section,
43 unless the context otherwise requires:
44 a. "Disclosure of information permitted by this
45 section" includes any of the following:
46 (1) A disclosure of any information by the employee
47 to a member or employee of the general assembly if the
48 information can be used by the member or employee of
49 the general assembly in the performance of the member's
50 or employee's duties, regardless of whether the member

SF2363.4493 (2) 85

-11-

tm/jp

11/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 or employee requested the information.
2 (2) A disclosure of information to any appropriate
3 person if the employee reasonably believes the
4 information evidences a violation of law or rule,
5 mismanagement, a gross abuse of funds, an abuse of
6 authority, or a substantial and specific danger to
7 public health or safety.
8 *b. "Eligible employer" means any of the following:*
9 (1) A political subdivision of this state.
10 (2) An entity organized under chapter 28E.
11 (3) A recipient entity as defined in section 8F.2.
12 Sec. _____. Section 70A.29, subsection 1, Code 2014,
13 is amended by striking the subsection and inserting in
14 lieu thereof the following:
15 1. *a.* A person shall not do any of the following
16 as a reprisal against an employee in a position in
17 employment by an eligible employer for a disclosure of
18 information permitted by this section:
19 (1) Discharge, suspend, or demote the employee, or
20 take any other adverse employment action resulting in
21 a reduction of the employee's pay.
22 (2) Fail to appoint or promote the employee to
23 a position in the employment or fail to take action
24 regarding an advantage to the employee.
25 *b.* This section does not apply if the disclosure of
26 the information is prohibited by statute.
27 Sec. _____. Section 70A.29, subsection 3, paragraph
28 a, Code 2014, is amended to read as follows:
29 *a.* A person who violates subsection 1 is liable to
30 an aggrieved employee for affirmative relief including
31 reinstatement, with or without back pay, actual
32 damages, or any other equitable relief the court deems
33 appropriate, including attorney fees and costs.
34 Sec. _____. Section 70A.29, Code 2014, is amended by
35 adding the following new subsection:
36 NEW SUBSECTION. 4. An eligible employer subject
37 to the requirements of this section shall inform the
38 employer's employees on a regular basis of their rights
39 to disclose information as provided in this section.>
40 3. By renumbering as necessary.

HALL of Woodbury

SF2363.4493 (2) 85

-12-

tm/jp

12/12



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

Senate Amendment to
House File 2473

H-8387

1 Amend House File 2473, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 STANDING APPROPRIATIONS AND RELATED MATTERS

7 Section 1. 2013 Iowa Acts, chapter 140, is amended
8 by adding the following new section:

9 NEW SECTION. SEC. 1A. BUDGET PROCESS FOR FISCAL
10 YEAR 2015-2016.

11 1. For the budget process applicable to the fiscal
12 year beginning July 1, 2015, on or before October 1,
13 2014, in lieu of the information specified in section
14 8.23, subsection 1, unnumbered paragraph 1, and
15 paragraph "a", all departments and establishments of
16 the government shall transmit to the director of the
17 department of management, on blanks to be furnished
18 by the director, estimates of their expenditure
19 requirements, including every proposed expenditure, for
20 the ensuing fiscal year, together with supporting data
21 and explanations as called for by the director of the
22 department of management after consultation with the
23 legislative services agency.

24 2. The estimates of expenditure requirements
25 shall be in a form specified by the director of
26 the department of management, and the expenditure
27 requirements shall include all proposed expenditures
28 and shall be prioritized by program or the results to
29 be achieved. The estimates shall be accompanied by
30 performance measures for evaluating the effectiveness
31 of the programs or results.

32 Sec. 2. 2013 Iowa Acts, chapter 140, is amended by
33 adding the following new section:

34 NEW SECTION. SEC. 3A. GENERAL ASSEMBLY.

35 1. The appropriations made pursuant to section
36 2.12 for the expenses of the general assembly and
37 legislative agencies for the fiscal year beginning July
38 1, 2014, and ending June 30, 2015, are reduced by the
39 following amount:

40 \$ 3,000,000

41 2. The budgeted amounts for the general assembly
42 for the fiscal year beginning July 1, 2014, may be
43 adjusted to reflect unexpended budgeted amounts from
44 the previous fiscal year.

45 Sec. 3. 2013 Iowa Acts, chapter 140, section 6, is
46 amended to read as follows:

47 SEC. 6. LIMITATIONS OF STANDING APPROPRIATIONS

48 — FY 2014-2015. Notwithstanding the standing
49 appropriations in the following designated sections for
50 the fiscal year beginning July 1, 2014, and ending June

HF2473.4498.S (1) 85

-1-

jh

1/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 30, 2015, the amounts appropriated from the general
2 fund of the state pursuant to these sections for the
3 following designated purposes shall not exceed the
4 following amounts:
5 1. For operational support grants and community
6 cultural grants under section 99F.11, subsection 3,
7 paragraph "d", subparagraph (1):
8 \$ 208,351
9 416,702
10 2. ~~For regional tourism marketing under section~~
11 ~~99F.11, subsection 3, paragraph "d", subparagraph (2):~~
12 ~~..... \$ 582,000~~
13 3. For payment for nonpublic school transportation
14 under section 285.2:
15 \$ 8,560,931
16 If total approved claims for reimbursement for
17 nonpublic school pupil transportation exceed the amount
18 appropriated in accordance with this subsection, the
19 department of education shall prorate the amount of
20 each approved claim.
21 4. For the enforcement of chapter 453D relating to
22 tobacco product manufacturers under section 453D.8:
23 \$ 9,208
24 18,416
25 Sec. 4. Section 257.35, Code 2014, is amended by
26 adding the following new subsection:
27 NEW SUBSECTION. 8A. Notwithstanding subsection 1,
28 and in addition to the reduction applicable pursuant
29 to subsection 2, the state aid for area education
30 agencies and the portion of the combined district cost
31 calculated for these agencies for the fiscal year
32 beginning July 1, 2014, and ending June 30, 2015, shall
33 be reduced by the department of management by fifteen
34 million dollars. The reduction for each area education
35 agency shall be prorated based on the reduction that
36 the agency received in the fiscal year beginning July
37 1, 2003.
38 DIVISION II
39 CLAIMS AGAINST THE STATE AND BY THE STATE
40 Sec. 5. Section 8.55, subsection 3, paragraph a,
41 Code 2014, is amended to read as follows:
42 a. Except as provided in paragraphs "b", "c",
43 and "d", and "0e", the moneys in the Iowa economic
44 emergency fund shall only be used pursuant to an
45 appropriation made by the general assembly. An
46 appropriation shall only be made for the fiscal year in
47 which the appropriation is made. The moneys shall only
48 be appropriated by the general assembly for emergency
49 expenditures.
50 Sec. 6. Section 8.55, subsection 3, Code 2014, is

HF2473.4498.S (1) 85

-2-

jh

2/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 amended by adding the following new paragraph:

2 NEW PARAGRAPH. 0e. There is appropriated from the
3 Iowa economic emergency fund to the state appeal board
4 an amount sufficient to pay claims authorized by the
5 state appeal board as provided in section 25.2.

6 Sec. 7. Section 25.2, subsection 4, Code 2014, is
7 amended to read as follows:

8 4. Payments authorized by the state appeal board
9 shall be paid from the appropriation or fund of
10 original certification of the claim. However, if that
11 appropriation or fund has since reverted under section
12 8.33, then such payment authorized by the state appeal
13 board shall be ~~out of any money in the state treasury~~
14 ~~not otherwise appropriated~~ as follows:

15 a. From the appropriation made from the Iowa
16 economic emergency fund in section 8.55 for purposes of
17 paying such expenses.

18 b. To the extent the appropriation from the
19 Iowa economic emergency fund described in paragraph
20 "a" is insufficient to pay such expenses, there is
21 appropriated from moneys in the general fund of the
22 state not otherwise appropriated the amount necessary
23 to fund the deficiency.

24 DIVISION III

25 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

26 Sec. 8. AIR QUALITY PROGRAM. Notwithstanding the
27 purposes provided in section 455E.11, subsection 2,
28 paragraph "c", there is appropriated from the household
29 hazardous waste account of the groundwater protection
30 fund to the department of natural resources for the
31 fiscal year beginning July 1, 2014, and ending June 30,
32 2015, the following amount, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 For supporting the department's air quality
35 programs, including salaries, support, maintenance, and
36 miscellaneous purposes:

37 \$ 1,400,000

38 Sec. 9. FOOD SECURITY FOR OLDER INDIVIDUALS. There
39 is appropriated from the general fund of the state to
40 the department on aging for the fiscal year beginning
41 July 1, 2014, and ending June 30, 2015, the following
42 amount, or so much thereof as is necessary, to be used
43 for the purposes designated:

44 To award to each area agency on aging designated
45 under section 231.32 in the proportion that the
46 estimated amount of older individuals in Iowa served by
47 that area agency on aging bears to the total estimated
48 amount of older individuals in Iowa, to be used to
49 provide congregate meals and home-delivered meals to
50 food-insecure older individuals in Iowa:

HF2473.4498.S (1) 85

-3-

jh

3/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 \$ 250,000
2 Sec. 10. AIR QUALITY STAKEHOLDER GROUP. The
3 director of the department of natural resources shall
4 convene a stakeholder group for purposes of studying
5 the funding of air quality programs administered by
6 the department. By December 1, 2014, the department
7 shall submit a written report to the general assembly
8 regarding the findings and recommendations of the
9 stakeholder group.
10 Sec. 11. PERSONNEL SETTLEMENT AGREEMENT
11 PAYMENTS. The general assembly and the judicial branch
12 shall not enter into a personnel settlement agreement
13 with a state employee that contains a confidentiality
14 provision intended to prevent public disclosure of the
15 agreement or any terms of the agreement.
16 Sec. 12. Section 8.9, subsection 2, paragraph a,
17 Code 2014, is amended to read as follows:
18 a. All grant applications submitted and grant
19 moneys received by a department on behalf of the state
20 shall be reported to the office of grants enterprise
21 management. The office shall by ~~January 31~~ December
22 1 of each year submit to the fiscal services division
23 of the legislative services agency a written report
24 listing all grants received during the ~~previous~~
25 ~~calendar~~ most recently completed federal fiscal year
26 with a value over one thousand dollars and the funding
27 entity and purpose for each grant. However, the
28 reports on grants filed by the state board of regents
29 pursuant to section 8.44 shall be deemed sufficient to
30 comply with the requirements of this subsection. In
31 addition, each department shall submit and the office
32 shall report, as applicable, for each grant applied
33 for or received and other federal moneys received
34 the expected duration of the grant or the other
35 moneys, maintenance of effort or other matching fund
36 requirements throughout and following the period of the
37 grant or the other moneys, the sources of the federal
38 funding and any match funding, any policy, program, or
39 operational requirement associated with receipt of the
40 funding, a status report on changes anticipated in the
41 federal requirements associated with the grant or other
42 federal funding during the fiscal year in progress and
43 the succeeding fiscal year, and any other information
44 concerning the grant or other federal funding that
45 would be helpful in the development of policy or
46 budget decisions. The fiscal services division of
47 the legislative services agency shall compile the
48 information received for consideration by the standing
49 joint appropriations subcommittees of the general
50 assembly.

HF2473.4498.S (1) 85

-4-

jh

4/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 Sec. 13. Section 68B.3, Code 2014, is amended by
2 adding the following new subsection:
3 NEW SUBSECTION. 2A. This section does not apply to
4 sales of services by a member of a board or commission
5 as defined under section 7E.4 to state executive branch
6 agencies or subunits of departments or independent
7 agencies as defined in section 7E.4 that are not the
8 subunit of the department or independent agency in
9 which the person serves or are not a subunit of a
10 department or independent agency with which the person
11 has substantial and regular contact as part of the
12 person's duties.
13 Sec. 14. Section 97B.52A, subsection 1, paragraph
14 c, subparagraph (2), subparagraph division (b), Code
15 2014, is amended to read as follows:
16 (b) For a member whose first month of entitlement
17 is July 2004 or later, but before July ~~2014~~ 2016,
18 covered employment does not include employment as a
19 licensed health care professional by a public hospital.
20 For the purposes of this subparagraph, "public
21 hospital" means a hospital licensed pursuant to chapter
22 135B and governed pursuant to chapter 145A, 347, 347A,
23 or 392.
24 Sec. 15. Section 602.1302, subsection 3, Code 2014,
25 is amended to read as follows:
26 3. A revolving fund is created in the state
27 treasury for the payment of jury and witness fees,
28 mileage, costs related to summoning jurors by the
29 judicial branch, costs and fees related to the
30 management and payment of interpreters and translators
31 in judicial branch legal proceedings and court-ordered
32 programs, and attorney fees paid by the state public
33 defender for counsel appointed pursuant to section
34 600A.6A. The judicial branch shall deposit any
35 reimbursements to the state for the payment of jury
36 and witness fees and mileage in the revolving fund.
37 In each calendar quarter the judicial branch shall
38 reimburse the state public defender for attorney fees
39 paid pursuant to section 600A.6B. Notwithstanding
40 section 8.33, unencumbered and unobligated receipts in
41 the revolving fund at the end of a fiscal year do not
42 revert to the general fund of the state. The judicial
43 branch shall on or before February 1 file a financial
44 accounting of the moneys in the revolving fund with
45 the legislative services agency. The accounting shall
46 include an estimate of disbursements from the revolving
47 fund for the remainder of the fiscal year and for the
48 next fiscal year.
49 Sec. 16. 2013 Iowa Acts, chapter 138, section 157,
50 subsection 5A, if enacted by 2014 Iowa Acts, House File

HF2473.4498.S (1) 85

-5-

jh

5/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 2463, is amended by striking the subsection.

2 DIVISION IV

3 CORRECTIVE PROVISIONS

4 Sec. 17. Section 15.353, subsection 1, paragraph c,
5 subparagraph (2), if enacted by 2014 Iowa Acts, House
6 File 2448, is amended to read as follows:

7 (2) The average dwelling unit cost does not exceed
8 two hundred fifty thousand dollars per dwelling unit
9 if the project involves the rehabilitation, repair,
10 redevelopment, or preservation of ~~eligible property,~~
11 ~~as that term is defined in section 404A.1, subsection~~
12 ~~2 property described in section 404A.1, subsection 7,~~
13 ~~paragraph "a".~~

14 Sec. 18. Section 15J.4, subsection 1, paragraph b,
15 as amended by 2014 Iowa Acts, House File 2448, section
16 34, if enacted, is amended to read as follows:

17 b. The area was in whole or in part a designated
18 economic development enterprise zone under chapter
19 15E, division XVIII, Code 2014, immediately prior to
20 the effective date of this division of this Act, or
21 the area is in whole or in part an urban renewal area
22 established pursuant to chapter 403.

23 Sec. 19. Section 123.47, subsection 1A, paragraph
24 c, subparagraph (2), as enacted by 2014 Iowa Acts,
25 Senate File 2310, section 1, is amended to read as
26 follows:

27 (2) A person under legal age who consumes or
28 possesses any alcoholic liquor, wine, or beer in
29 connection with a religious observance, ceremony, or
30 ~~right rite.~~

31 Sec. 20. Section 331.552, subsection 35, as amended
32 by 2014 Iowa Acts, House File 2273, section 5, if
33 enacted, is amended to read as follows:

34 35. a. Destroy special assessment records required
35 by section 445.11 within the county system after ten
36 years have elapsed from the end of the fiscal year in
37 which the special assessment was paid in full. The
38 county treasurer shall also destroy the resolution of
39 necessity, plat, and schedule of assessments required
40 by section 384.51 after ten years have elapsed from the
41 end of the fiscal year in which the entire schedule was
42 paid in full. ~~This subsection paragraph applies to~~
43 ~~documents described in this subsection paragraph that~~
44 ~~are in existence before, on, or after July 1, 2003.~~

45 b. Destroy assessment records required by chapter
46 468 within the county system after ten years have
47 elapsed from the end of the fiscal year in which the
48 assessment was paid in full. The county treasurer
49 shall also destroy the accompanying documents including
50 any resolutions, plats, or schedule of assessments

HF2473.4498.S (1) 85

-6-

jh

6/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 after ten years have elapsed from the end of the
2 fiscal year in which the entire schedule was paid in
3 full. This ~~subsection~~ paragraph applies to documents
4 described in this ~~subsection~~ paragraph that are in
5 existence before, on, or after July 1, 2014.
6 Sec. 21. Section 422.33, subsection 4, paragraph c,
7 Code 2014, as amended by 2014 Iowa Acts, Senate File
8 2240, section 87, and redesignated as paragraph b,
9 subparagraph (3), is amended to read as follows:
10 (3) Subtract an exemption amount of forty thousand
11 dollars. This exemption amount shall be reduced, but
12 not below zero, by an amount equal to twenty-five
13 percent of the amount by which the alternative minimum
14 taxable income of the taxpayer, computed without regard
15 to the exemption amount in this ~~paragraph~~ subparagraph,
16 exceeds one hundred fifty thousand dollars.
17 Sec. 22. Section 425.15, subsection 1, paragraph a,
18 as enacted by 2014 Iowa Acts, Senate File 2352, section
19 1, is amended to read as follows:
20 a. A veteran of any of the military forces of the
21 United States, who acquired the homestead under 38
22 U.S.C. §21.801, 21.802, prior to August 6, 1991, or
23 under 38 U.S.C. §2101, 2102.
24 Sec. 23. Section 508.36, subsection 13, paragraph
25 d, subparagraph (1), subparagraph division (c), as
26 enacted by 2014 Iowa Acts, Senate File 2131, section 9,
27 is amended to read as follows:
28 (c) Minimum reserves for all other policies ~~of~~ or
29 contracts subject to subsection 1, paragraph "b".
30 Sec. 24. Section 508.36, subsection 16, paragraph
31 c, subparagraph (3), as enacted by 2014 Iowa Acts,
32 Senate File 2131, section 9, is amended to read as
33 follows:
34 (3) Once any portion of a memorandum in support
35 of an opinion submitted under subsection 2 or a
36 principle-based valuation report developed under
37 subsection 14, paragraph "b", subparagraph (3), is
38 cited by a company in its marketing or is publicly
39 volunteered to or before a governmental agency other
40 than a state insurance department or is released by
41 the company to the news media, all portions ~~of~~ of such
42 memorandum or report shall no longer be confidential
43 information.
44 Sec. 25. Section 508.37, subsection 6, paragraph h,
45 subparagraph (8), as enacted by 2014 Iowa Acts, Senate
46 File 2131, section 13, is amended to read as follows:
47 (8) For policies issued on or after the operative
48 date of the valuation manual, the valuation manual
49 shall provide the Commissioners Standard Mortality
50 Table for use in determining the minimum nonforfeiture

HF2473.4498.S (1) 85

-7-

jh

7/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 standard that may be substituted for the Commissioners
2 1961 Standard Industrial Mortality Table or the
3 Commissioners 1961 Industrial Extended Term Insurance
4 Table. If the commissioner approves by ~~regulation~~
5 rule any Commissioners Standard Industrial Mortality
6 Table adopted by the national association of insurance
7 commissioners for use in determining the minimum
8 nonforfeiture standard for policies issued on or after
9 the operative date of the valuation manual, then that
10 minimum nonforfeiture standard supersedes the minimum
11 nonforfeiture standard provided by the valuation
12 manual.

13 Sec. 26. Section 537.1301, subsection 46, as
14 enacted by 2014 Iowa Acts, House File 2324, section 17,
15 is amended to read as follows:

16 46. "*Threshold amount*" means the threshold amount,
17 as determined by 12 C.F.R. ~~\$226.3(b)~~ \$1026.3(b),
18 in effect during the period the consumer credit
19 transaction was entered into.

20 Sec. 27. 2014 Iowa Acts, Senate File 2257, section
21 15, is amended by striking the section and inserting in
22 lieu thereof the following:

23 SEC. 15. REPEAL. Sections 261.17A, 261.22, 261.39,
24 261.41, 261.44, 261.48, 261.54, 261.81A, and 261.82,
25 Code 2014, are repealed.

26 Sec. 28. REPEAL. 2014 Iowa Acts, House File 2423,
27 section 159, is repealed.

28 Sec. 29. CONTINGENT EFFECTIVENESS. The section
29 of this division of this Act amending section 15.353,
30 subsection 1, paragraph "*c*", subparagraph (2), takes
31 effect only if 2014 Iowa Acts, House File 2453, is
32 enacted.

33 DIVISION V

34 GENERAL ASSEMBLY PUBLICATIONS PROVISIONS

35 Sec. 30. Section 2.42, subsection 13, Code 2014, is
36 amended to read as follows:

37 13. To establish policies with regard to publishing
38 printed and electronic versions of legal publications
39 as provided in chapters 2A and 2B, including the Iowa
40 Acts, Iowa Code, ~~Code Supplement~~, Iowa administrative
41 bulletin, Iowa administrative code, and Iowa court
42 rules, or any part of those publications. The
43 publishing policies may include, but are not limited
44 to: the style and format to be used; the frequency
45 of publication; the contents of the publications;
46 the numbering systems to be used; the preparation of
47 editorial comments or notations; the correction of
48 errors; the type of print or electronic media and
49 data processing software to be used; the number of
50 volumes to be published; recommended revisions; the

HF2473.4498.S (1) 85

-8-

jh

8/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 letting of contracts for publication; the pricing of
2 the publications to which section 22.3 does not apply;
3 access to, and the use, reproduction, legal protection,
4 sale or distribution, and pricing of related data
5 processing software consistent with chapter 22; and any
6 other matters deemed necessary to the publication of
7 uniform and understandable publications.

8 Sec. 31. Section 2A.1, subsection 2, paragraph d,
9 unnumbered paragraph 1, Code 2014, is amended to read
10 as follows:

11 Publication of the official legal publications
12 of the state, including but not limited to the Iowa
13 Acts, Iowa Code, ~~Code Supplement~~, Iowa administrative
14 bulletin, Iowa administrative code, and Iowa court
15 rules as provided in chapter 2B. The legislative
16 services agency shall do all of the following:

17 Sec. 32. Section 2A.5, subsection 2, paragraph b,
18 Code 2014, is amended by striking the paragraph.

19 Sec. 33. Section 2A.5, Code 2014, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 2A. The legislative services
22 agency shall publish annually an electronic or printed
23 version of the roster of state officials. The roster
24 of state officials shall include a correct list of
25 state officers and deputies; members of boards and
26 commissions; justices of the supreme court, judges
27 of the court of appeals, and judges of the district
28 courts including district associate judges and judicial
29 magistrates; and members of the general assembly.
30 The office of the governor shall cooperate in the
31 preparation of the list.

32 Sec. 34. Section 2B.5, subsection 3, Code 2014, is
33 amended by striking the subsection.

34 Sec. 35. Section 2B.5A, subsection 2, Code 2014, is
35 amended to read as follows:

36 2. In consultation with the administrative rules
37 coordinator, the administrative code editor shall
38 prescribe a uniform style and form required for a
39 person filing a document for publication in the Iowa
40 administrative bulletin or the Iowa administrative
41 code, including but not limited to a rulemaking
42 document. A rulemaking document includes a notice
43 of intended action as provided in section 17A.4 or
44 an adopted rule for filing as provided in section
45 17A.5. The rulemaking document shall correlate each
46 rule to the uniform numbering system established by
47 the administrative code editor. The administrative
48 code editor shall provide for the publication of
49 an electronic publication version of the Iowa
50 administrative bulletin and the Iowa administrative

HF2473.4498.S (1) 85

-9-

jh

9/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 code. The administrative code editor shall review
2 all submitted documents for style and form and notify
3 the administrative rules coordinator if a rulemaking
4 document is not in proper style or form, and may return
5 or revise a document which is not in proper style and
6 form. The style and form prescribed shall require
7 that a rulemaking document include a reference to the
8 statute which the rules are intended to implement.
9 Sec. 36. Section 2B.5A, subsection 6, paragraph a,
10 subparagraph (2), subparagraph division (b), Code 2014,
11 is amended to read as follows:
12 (b) A print ~~edition~~ version may include an index.
13 Sec. 37. Section 2B.5B, subsection 2, Code 2014, is
14 amended to read as follows:
15 2. The administrative code editor, upon direction
16 by the Iowa supreme court and in accordance with the
17 policies of the legislative council pursuant to section
18 2.42 and the legislative services agency pursuant
19 to section 2A.1, shall prescribe a uniform style and
20 form required for filing a document for publication in
21 the Iowa court rules. The document shall correlate
22 each rule to the uniform numbering system. The
23 administrative code editor shall provide for the
24 publication of an electronic publication version of
25 the Iowa court rules. The administrative code editor
26 shall review all submitted documents for style and
27 form and notify the Iowa supreme court if a rulemaking
28 document is not in proper style or form, and may return
29 or revise a document which is not in proper style and
30 form.
31 Sec. 38. Section 2B.5B, subsection 3, paragraph b,
32 subparagraph (2), subparagraph division (b), Code 2014,
33 is amended to read as follows:
34 (b) A print version ~~shall~~ may include an index.
35 Sec. 39. Section 2B.6, subsection 2, paragraph b,
36 Code 2014, is amended to read as follows:
37 b. The Iowa Code ~~or Code Supplement~~, as provided in
38 section 2B.12.
39 Sec. 40. Section 2B.12, Code 2014, is amended to
40 read as follows:
41 **2B.12 Iowa Code and Code Supplement.**
42 1. The legislative services agency shall control
43 and maintain in a secure electronic repository
44 custodial information used to publish the Iowa Code.
45 2. The legislative services agency shall publish
46 an annual edition of the Iowa Code as soon as
47 possible after the final adjournment of a regular
48 or special session of a general assembly. ~~However,~~
49 ~~the legislative services agency may publish a new~~
50 ~~Code Supplement in lieu of the Iowa Code as soon as~~

HF2473.4498.S (1) 85

-10-

jh

10/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 ~~possible after the final adjournment of a regular~~
2 ~~session of a general assembly. The legislative~~
3 ~~services agency may publish a new edition of the Iowa~~
4 ~~Code or Code Supplement as soon as possible after the~~
5 ~~final adjournment of a special session of the general~~
6 ~~assembly.~~
7 3. An edition of the Iowa Code ~~or Code Supplement~~
8 shall contain each Code section in its new or amended
9 form. However, a new section or amendment which does
10 not take effect until after the probable publication
11 date of a succeeding Iowa Code ~~or Code Supplement~~
12 may be deferred for publication in that succeeding
13 Iowa Code ~~or Code Supplement~~. The sections shall
14 be inserted in each edition in a logical order as
15 determined by the Iowa Code editor in accordance with
16 the policies of the legislative council.
17 4. Each section of an Iowa Code ~~or Code Supplement~~
18 shall be indicated by a number printed in boldface
19 type and shall have an appropriate headnote printed in
20 boldface type.
21 5. The Iowa Code shall include all of the
22 following:
23 a. The Declaration of Independence.
24 b. The Articles of Confederation.
25 c. The Constitution of the United States.
26 d. The laws of the United States relating to the
27 authentication of records.
28 e. The Constitution of the State of Iowa, original
29 and codified versions.
30 f. The Act admitting Iowa into the union as a
31 state.
32 g. The arrangement of the Code into distinct units,
33 as established by the legislative services agency,
34 which may include titles, subunits of titles, chapters,
35 subunits of chapters, and sections, and subunits of
36 sections. The distinct units shall be numbered and may
37 include names.
38 h. All of the statutes of Iowa of a general and
39 permanent nature, except as provided in subsection 3.
40 i. A comprehensive method to search and identify
41 its contents, including the text of the Constitution
42 and statutes of the State of Iowa.
43 (1) An electronic version may include search and
44 retrieval programming, analysis of titles and chapters,
45 and an index and a summary index.
46 (2) A print version shall include an analysis of
47 titles and chapters, and may include an index and a
48 summary index.
49 6. The Iowa Code may include all of the following:
50 a. A preface.

HF2473.4498.S (1) 85

-11-

jh

11/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 *b.* A description of citations to statutes.
2 *c.* Abbreviations to other publications which may be
3 referred to in the Iowa Code.
4 *d.* Appropriate historical references or source
5 notes.
6 *e.* An analysis of the Code by titles and chapters.
7 *f.* Other reference materials as determined by the
8 Iowa Code editor in accordance with any policies of the
9 legislative council.
10 ~~7. A Code Supplement shall include all of the~~
11 ~~following:~~
12 ~~*a.* The text of statutes of Iowa of a general~~
13 ~~and permanent nature that were enacted during the~~
14 ~~preceding regular or special session, except as~~
15 ~~provided in subsection 3, an indication of all sections~~
16 ~~repealed during that session, and any amendments to~~
17 ~~the Constitution of the State of Iowa approved by the~~
18 ~~voters since the adjournment of the previous regular~~
19 ~~session of the general assembly.~~
20 ~~*b.* A chapter title and number for each chapter or~~
21 ~~part of a chapter included.~~
22 ~~*c.* A comprehensive method to search and identify~~
23 ~~its contents, including the text of statutes and the~~
24 ~~Constitution of the State of Iowa.~~
25 ~~(1) An electronic version may include search and~~
26 ~~retrieval programming and an index and a summary index.~~
27 ~~(2) A print version may include an index and a~~
28 ~~summary index.~~
29 ~~8. 7. The Iowa Code or Code Supplement may include~~
30 ~~appropriate tables showing the disposition of Acts of~~
31 ~~the general assembly, the corresponding sections from~~
32 ~~edition to edition of an Iowa Code or Code Supplement,~~
33 ~~and other reference material as determined by the~~
34 ~~Iowa Code editor in accordance with policies of the~~
35 ~~legislative council.~~
36 ~~8. In lieu of or in addition to publishing an~~
37 ~~annual edition of the Iowa Code, the legislative~~
38 ~~services agency, in accordance with the policies of~~
39 ~~the legislative council, may publish a supplement to~~
40 ~~the Iowa Code, as necessary or desirable, in a manner~~
41 ~~similar to the publication of an annual edition of the~~
42 ~~Iowa Code.~~
43 ~~Sec. 41. Section 2B.13, subsection 1, unnumbered~~
44 ~~paragraph 1, Code 2014, is amended to read as follows:~~
45 ~~The Iowa Code editor in preparing the copy for an~~
46 ~~edition of the Iowa Code or Code Supplement shall not~~
47 ~~alter the sense, meaning, or effect of any Act of the~~
48 ~~general assembly, but may:~~
49 ~~Sec. 42. Section 2B.13, subsection 1, paragraph f,~~
50 ~~Code 2014, is amended to read as follows:~~

HF2473.4498.S (1) 85

-12-

jh

12/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 *f.* Transfer, divide, or combine sections or parts
2 of sections and add or ~~amend~~ revise headnotes to
3 sections and ~~subsections~~ section subunits. Pursuant to
4 section 3.3, the headnotes are not part of the law.
5 Sec. 43. Section 2B.13, subsection 3, paragraph a,
6 Code 2014, is amended to read as follows:
7 *a.* The Iowa Code editor may, in preparing the copy
8 for an edition of the Iowa Code ~~or Code Supplement~~,
9 establish standards for and change capitalization,
10 spelling, and punctuation in any provision for purposes
11 of uniformity and consistency in language.
12 Sec. 44. Section 2B.13, subsection 4, paragraph a,
13 Code 2014, is amended to read as follows:
14 *a.* The Iowa Code editor shall seek direction
15 from the senate committee on judiciary and the house
16 committee on judiciary when making Iowa Code ~~or Code~~
17 ~~Supplement~~ changes.
18 Sec. 45. Section 2B.13, subsection 5, Code 2014, is
19 amended to read as follows:
20 5. The Iowa Code editor may prepare and publish
21 comments deemed necessary for a proper explanation
22 of the manner of ~~printing~~ publishing a section or
23 chapter of the Iowa Code ~~or Code Supplement~~. The Iowa
24 Code editor shall maintain a record of all of the
25 corrections made under subsection 1. The Iowa Code
26 editor shall also maintain a separate record of the
27 changes made under subsection 1, paragraphs "b" through
28 "h". The records shall be available to the public.
29 Sec. 46. Section 2B.13, subsection 7, paragraph a,
30 Code 2014, is amended to read as follows:
31 *a.* The effective date of an edition of the Iowa
32 Code or of a supplement to the Iowa Code Supplement
33 or an edition of the Iowa administrative code is its
34 publication date. A publication date is the date the
35 publication is conclusively presumed to be complete,
36 incorporating all revisions or editorial changes.
37 Sec. 47. Section 2B.13, subsection 7, paragraph
38 b, subparagraph (1), Code 2014, is amended to read as
39 follows:
40 (1) For the Iowa Code or a supplement to the
41 Iowa Code Supplement, the publication date is the
42 first day of the next regular session of the general
43 assembly convened pursuant to Article III, section 2,
44 of the Constitution of the State of Iowa. However,
45 the legislative services agency may establish an
46 alternative publication date, which may be the date
47 that the publication is first available to the public
48 accessing the general assembly's internet site. The
49 legislative services agency shall provide notice of
50 such an alternative publication date on the general

HF2473.4498.S (1) 85

-13-

jh

13/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 assembly's internet site.

2 Sec. 48. Section 2B.17, subsection 2, paragraph b,
3 Code 2014, is amended to read as follows:

4 b. For statutes, the official versions of
5 publications shall be known as the Iowa Acts, the Iowa
6 Code, and the Code Supplement for supplements for the
7 years 1979 through 2011.

8 Sec. 49. Section 2B.17, subsection 4, paragraph c,
9 Code 2014, is amended to read as follows:

10 c. The Iowa Code shall be cited as the Iowa
11 Code. ~~The Code Supplement~~ Supplements to the Iowa
12 Code published for the years 1979 through 2011 shall
13 be cited as the Code Supplement. Subject to the
14 legislative services agency style manual, the Iowa Code
15 may be cited as the Code of Iowa or Code and the Code
16 Supplement may be cited as the Iowa Code Supplement,
17 with references identifying parts of the publication,
18 including but not limited to title or chapter, section,
19 or subunit of a section. If the citation refers to a
20 past edition of the Iowa Code or Code Supplement, the
21 citation shall identify the year of publication. The
22 legislative services agency style manual shall provide
23 for a citation form for any supplements to the Iowa
24 Code published after the year 2013.

25 Sec. 50. Section 2B.18, subsection 1, Code 2014, is
26 amended to read as follows:

27 1. The Iowa Code editor is the custodian of the
28 official legal publications known as the Iowa Acts,
29 Iowa Code, and Code Supplement for supplements to the
30 Iowa Code for the years 1979 through 2011, and for any
31 other supplements to the Iowa Code. The Iowa Code
32 editor may attest to and authenticate any portion
33 of such official legal publication for purposes of
34 admitting a portion of the official legal publication
35 in any court or office of any state, territory,
36 or possession of the United States or in a foreign
37 jurisdiction.

38 Sec. 51. Section 3.1, subsection 1, paragraphs a
39 and b, Code 2014, are amended to read as follows:

40 a. Shall refer to the numbers of the sections or
41 chapters of the Code ~~or Code Supplement~~ to be amended
42 or repealed, but it is not necessary to refer to the
43 sections or chapters in the title.

44 b. Shall refer to the session of the general
45 assembly and the sections and chapters of the Acts to
46 be amended if the bill relates to a section or sections
47 of an Act not appearing in the Code ~~or codified in a~~
48 ~~supplement to the Code.~~

49 Sec. 52. Section 3.3, Code 2014, is amended to read
50 as follows:

HF2473.4498.S (1) 85

-14-

jh

14/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 **3.3 Headnotes and historical references.**

2 1. Proper headnotes may be placed at the beginning
3 of a section of a bill or at the beginning of a Code
4 section, and at the end of a Code section there may
5 be placed a reference to the section number of the
6 Code, or any Iowa Act from which the matter of the Code
7 section was taken or Code section subunit. However,
8 except as provided for the uniform commercial code
9 pursuant to section 554.1107, headnotes shall not be
10 considered as part of the law as enacted.

11 2. At the end of a Code section there may be placed
12 a reference to the section number of the Code, or any
13 Iowa Act from which the matter of the Code section was
14 taken. Historical references shall not be considered
15 as a part of the law as enacted.

16 DIVISION VI
17 SNOWMOBILES

18 Sec. 53. Section 321G.3, subsection 1, Code 2014,
19 is amended to read as follows:

20 1. Each snowmobile used by a resident on public
21 land, public ice, or a designated snowmobile trail
22 of this state shall be currently registered in this
23 state pursuant to section 321G.4. A person resident
24 shall not operate, maintain, or give permission for
25 the operation or maintenance of a snowmobile on public
26 land, public ice, or a designated snowmobile trail
27 unless the snowmobile is registered in accordance with
28 this chapter or applicable federal laws or in accordance
29 with an approved numbering system of another state
30 and the evidence of registration is in full force and
31 effect. A The owner of a snowmobile must also be
32 issued obtain a user permit in accordance with this
33 chapter section 321G.4A.

34 Sec. 54. Section 321G.4, subsections 2 and 4, Code
35 2014, are amended to read as follows:

36 2. The owner of the snowmobile shall file an
37 application for registration with the department
38 through the county recorder of the county of residence,
39 ~~or in the case of a nonresident owner, in the county~~
40 ~~of primary use,~~ in the manner established by the
41 commission. The application shall be completed by the
42 owner and shall be accompanied by a fee of fifteen
43 dollars and a writing fee as provided in section
44 321G.27. A snowmobile shall not be registered by the
45 county recorder until the county recorder is presented
46 with receipts, bills of sale, or other satisfactory
47 evidence that the sales or use tax has been paid for
48 the purchase of the snowmobile or that the owner is
49 exempt from paying the tax. A snowmobile that has an
50 expired registration certificate from another state may

HF2473.4498.S (1) 85

-15-

jh

15/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 be registered in this state upon proper application,
2 payment of all applicable registration and writing
3 fees, and payment of a penalty of five dollars.
4 4. Notwithstanding subsections 1 and 2, a
5 snowmobile ~~that is more than thirty years old~~
6 manufactured prior to 1984 may be registered as an
7 antique snowmobile for a one-time fee of twenty-five
8 dollars, which shall exempt the owner from annual
9 registration and fee requirements for that snowmobile.
10 However, if ownership of ~~such a~~ an antique snowmobile
11 is transferred, the new owner shall register the
12 snowmobile and pay the one-time fee as required under
13 this subsection. A snowmobile may be registered
14 under this section with only a signed bill of sale as
15 evidence of ownership.
16 Sec. 55. NEW SECTION. 321G.4B Nonresident
17 requirements — penalties.
18 1. A nonresident wishing to operate a snowmobile
19 on public land, public ice, or a designated snowmobile
20 trail of this state shall obtain a user permit in
21 accordance with section 321G.4A. In addition to
22 obtaining a user permit, a nonresident shall display
23 a current registration decal or other evidence of
24 registration or numbering required by the owner's state
25 of residence unless the owner resides in a state that
26 does not register or number snowmobiles.
27 2. A violation of subsection 1 is punishable as a
28 scheduled violation under section 805.8B, subsection
29 2, paragraph "a". When the scheduled fine is paid, the
30 violator shall submit proof to the department that a
31 user permit has been obtained and provide evidence of
32 registration or numbering as required by the owner's
33 state of residence, if applicable, to the department
34 within thirty days of the date the fine is paid. A
35 person who violates this section is guilty of a simple
36 misdemeanor.
37 Sec. 56. Section 321G.20, Code 2014, is amended by
38 striking the section and inserting in lieu thereof the
39 following:
40 321G.20 Operation by persons under sixteen.
41 A person under sixteen years of age shall not
42 operate a snowmobile on a designated snowmobile
43 trail, public land, or public ice unless the operation
44 is under the direct supervision of a parent, legal
45 guardian, or another person of at least eighteen years
46 of age authorized by the parent or guardian, who is
47 experienced in snowmobile operation and who possesses a
48 valid driver's license, as defined in section 321.1, or
49 an education certificate issued under this chapter.
50 Sec. 57. Section 321G.24, subsection 1, Code 2014,

HF2473.4498.S (1) 85

-16-

jh

16/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 is amended to read as follows:

2 1. A person ~~under eighteen~~ twelve through seventeen
3 years of age shall not operate a snowmobile on public
4 land, public ice, a designated snowmobile trail, or
5 land purchased with snowmobile registration funds
6 in this state without obtaining a ~~valid~~ an education
7 certificate approved by the department and having
8 the certificate in the person's possession, unless
9 the person is accompanied on the same snowmobile by
10 a responsible person of at least eighteen years of
11 age who is experienced in snowmobile operation and
12 possesses a valid driver's license, as defined in
13 section 321.1, or an education certificate issued under
14 this chapter.

15 Sec. 58. Section 805.8B, subsection 2, paragraph a,
16 Code 2014, is amended to read as follows:

17 a. For registration or user permit violations under
18 section 321G.3, subsection 1, or section 321G.4B, the
19 scheduled fine is fifty dollars.

20 DIVISION VII

21 INCOME TAX CHECKOFFS

22 Sec. 59. **NEW SECTION. 422.12D Income tax checkoff**
23 **for the Iowa state fair foundation fund.**

24 1. A person who files an individual or a joint
25 income tax return with the department of revenue under
26 section 422.13 may designate one dollar or more to be
27 paid to the foundation fund of the Iowa state fair
28 foundation as established in section 173.22. If the
29 refund due on the return or the payment remitted with
30 the return is insufficient to pay the amount designated
31 by the taxpayer to the foundation fund, the amount
32 designated shall be reduced to the remaining amount
33 of the refund or the remaining amount remitted with
34 the return. The designation of a contribution to the
35 foundation fund under this section is irrevocable.

36 2. The director of revenue shall draft the income
37 tax form to allow the designation of contributions to
38 the foundation fund on the tax return. The department,
39 on or before January 31, shall transfer the total
40 amount designated on the tax form due in the preceding
41 year to the foundation fund. However, before a
42 checkoff pursuant to this section shall be permitted,
43 all liabilities on the books of the department of
44 administrative services and accounts identified
45 as owing under section 8A.504 and the political
46 contribution allowed under section 68A.601 shall be
47 satisfied.

48 3. The Iowa state fair board may authorize payment
49 from the foundation fund for purposes of supporting
50 foundation activities.

HF2473.4498.S (1) 85

-17-

jh

17/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 4. The department of revenue shall adopt rules to
2 implement this section.

3 5. This section is subject to repeal under section
4 422.12E.

5 Sec. 60. NEW SECTION. 422.12L Joint income tax
6 checkoff for veterans trust fund and volunteer fire
7 fighter preparedness fund.

8 1. A person who files an individual or a joint
9 income tax return with the department of revenue under
10 section 422.13 may designate one dollar or more to
11 be paid jointly to the veterans trust fund created
12 in section 35A.13 and to the volunteer fire fighter
13 preparedness fund created in section 100B.13. If the
14 refund due on the return or the payment remitted with
15 the return is insufficient to pay the additional amount
16 designated by the taxpayer, the amount designated
17 shall be reduced to the remaining amount of refund or
18 the remaining amount remitted with the return. The
19 designation of a contribution under this section is
20 irrevocable.

21 2. The director of revenue shall draft the income
22 tax form to allow the designation of contributions
23 to the veterans trust fund and to the volunteer fire
24 fighter preparedness fund as one checkoff on the
25 tax return. The department of revenue, on or before
26 January 31, shall transfer one-half of the total
27 amount designated on the tax return forms due in the
28 preceding calendar year to the veterans trust fund and
29 the remaining one-half to the volunteer fire fighter
30 preparedness fund. However, before a checkoff pursuant
31 to this section shall be permitted, all liabilities on
32 the books of the department of administrative services
33 and accounts identified as owing under section 8A.504
34 and the political contribution allowed under section
35 68A.601 shall be satisfied.

36 3. The department of revenue shall adopt rules to
37 administer this section.

38 4. This section is subject to repeal under section
39 422.12E.

40 Sec. 61. REPEAL. Sections 422.12D and 422.12L,
41 Code 2014, are repealed.

42 Sec. 62. RETROACTIVE APPLICABILITY. This division
43 of this Act applies retroactively to January 1, 2014,
44 for tax years beginning on or after that date.

45 DIVISION VIII

46 COUNTY RECORDERS

47 Sec. 63. Section 321G.1, Code 2014, is amended by
48 adding the following new subsection:

49 NEW SUBSECTION. 9A. "Document" means a snowmobile
50 certificate of title, registration certificate or

HF2473.4498.S (1) 85

-18-

jh

18/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 registration renewal, user permit, or duplicate
2 special registration certificate issued by the county
3 recorder's office.

4 Sec. 64. Section 321G.29, subsection 7, Code 2014,
5 is amended to read as follows:

6 7. The county recorder shall maintain a an
7 electronic record of any certificate of title which the
8 county recorder issues ~~and shall keep each certificate~~
9 ~~of title on record~~ until the certificate of title has
10 been inactive for five years. When issuing a title
11 for a new snowmobile, the county recorder shall obtain
12 and keep the certificate of origin on file ~~a copy of~~
13 ~~the certificate of origin~~. When issuing a title and
14 registration for a used snowmobile for which there
15 is no title or registration, the county recorder
16 shall obtain and keep on file the affidavit for the
17 unregistered and untitled snowmobile.

18 Sec. 65. Section 321G.32, subsection 1, paragraph
19 a, Code 2014, is amended to read as follows:

20 a. To perfect the security interest, an application
21 for security interest must be presented along with
22 the original title. The county recorder shall note
23 the security interest on the face of the title and ~~on~~
24 ~~in the copy in electronic record maintained by the~~
25 ~~recorder's office~~.

26 Sec. 66. Section 321I.1, Code 2014, is amended by
27 adding the following new subsection:

28 NEW SUBSECTION. 10A. "*Document*" means an
29 all-terrain vehicle certificate of title, vehicle
30 registration or registration renewal, user permit, or
31 duplicate special registration certificate issued by
32 the county recorder's office.

33 Sec. 67. Section 321I.31, subsection 7, Code 2014,
34 is amended to read as follows:

35 7. The county recorder shall maintain a an
36 electronic record of any certificate of title which the
37 county recorder issues ~~and shall keep each certificate~~
38 ~~of title on record~~ until the certificate of title has
39 been inactive for five years. When issuing a title for
40 a new all-terrain vehicle, the county recorder shall
41 obtain and keep the certificate of origin on file ~~a~~
42 ~~copy of the certificate of origin~~. When issuing a
43 title and registration for a used all-terrain vehicle
44 for which there is no title or registration, the county
45 recorder shall obtain and keep on file the affidavit
46 for the unregistered and untitled all-terrain vehicle.

47 Sec. 68. Section 321I.34, subsection 1, paragraph
48 a, Code 2014, is amended to read as follows:

49 a. To perfect the security interest, an application
50 for security interest must be presented along with

HF2473.4498.S (1) 85

-19-

jh

19/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 the original title. The county recorder shall note
2 the security interest on the face of the title and on
3 in the ~~copy~~ in electronic record maintained by the
4 recorder's office.

5 Sec. 69. Section 331.602, subsection 39, Code 2014,
6 is amended to read as follows:

7 39. Accept applications for passports if approved
8 to accept such applications by the United States
9 department of state.

10 Sec. 70. Section 359A.10, Code 2014, is amended to
11 read as follows:

12 **359A.10 Entry and record of orders.**

13 Such orders, decisions, notices, and returns shall
14 be entered of record at length by the township clerk,
15 and a copy thereof certified by the township clerk to
16 the county recorder, who shall record the same in the
17 recorder's office in ~~a book kept for that purpose~~ the
18 manner specified in sections 558.49 and 558.52, and
19 index such record in the name of each adjoining owner
20 as grantor to the other. The county recorder shall
21 collect fees specified in section 331.604.

22 Sec. 71. Section 462A.5, subsection 1, paragraph a,
23 Code 2014, is amended to read as follows:

24 a. The owner of the vessel shall file an
25 application for registration with the appropriate
26 county recorder on forms provided by the commission.
27 The application shall be completed and signed by the
28 owner of the vessel and shall be accompanied by the
29 appropriate fee, and the writing fee specified in
30 section 462A.53. Upon applying for registration, the
31 owner shall display a bill of sale, receipt, or other
32 satisfactory proof of ownership as provided by the
33 rules of the commission to the county recorder. If the
34 county recorder is not satisfied as to the ownership
35 of the vessel or that there are no undisclosed
36 security interests in the vessel, the county recorder
37 may register the vessel but shall, as a condition
38 of issuing a registration certificate, require the
39 applicant to follow the procedure provided in section
40 462A.5A. Upon receipt of the application in approved
41 form accompanied by the required fees, the county
42 recorder shall enter it upon the records of the
43 recorder's office and shall issue to the applicant a
44 pocket-size registration certificate. The certificate
45 ~~shall be executed in triplicate, one copy to be and~~
46 ~~delivered to the owner, one copy to the commission, and~~
47 ~~one copy to be retained on file by the county recorder.~~
48 The county recorder shall maintain an electronic
49 record of each registration certificate issued by the
50 county recorder under this chapter. The registration

HF2473.4498.S (1) 85

-20-

jh

20/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 certificate shall bear the number awarded to the
2 vessel, the passenger capacity of the vessel, and the
3 name and address of the owner. In the use of all
4 vessels except nonpowered sailboats, nonpowered canoes,
5 and commercial vessels, the registration certificate
6 shall be carried either in the vessel or on the person
7 of the operator of the vessel when in use. In the
8 use of nonpowered sailboats, nonpowered canoes, or
9 commercial vessels, the registration certificate may be
10 kept on shore in accordance with rules adopted by the
11 commission. The operator shall exhibit the certificate
12 to a peace officer upon request or, when involved in an
13 occurrence of any nature with another vessel or other
14 personal property, to the owner or operator of the
15 other vessel or personal property.

16 Sec. 72. Section 462A.77, subsection 7, Code 2014,
17 is amended to read as follows:

18 7. The county recorder shall maintain a an
19 electronic record of any each certificate of title
20 ~~which issued by the county recorder issues and shall~~
21 ~~keep each certificate of title on record under this~~
22 ~~chapter until the certificate of title has been~~
23 ~~inactive for five years.~~

24 Sec. 73. Section 462A.84, subsection 1, paragraph
25 a, Code 2014, is amended to read as follows:

26 a. To perfect the security interest, an application
27 for security interest must be presented along with
28 the original title. The county recorder shall note
29 the security interest on the face of the title and ~~on~~
30 ~~in the copy in electronic record maintained by the~~
31 ~~recorder's office.~~

32 DIVISION IX

33 FOSTER CARE

34 Sec. 74. Section 232.46, subsection 1, Code 2014,
35 is amended to read as follows:

36 1. a. At any time after the filing of a petition
37 and prior to entry of an order of adjudication
38 pursuant to section 232.47, the court may suspend the
39 proceedings on motion of the county attorney or the
40 child's counsel, enter a consent decree, and continue
41 the case under terms and conditions established by
42 the court. These terms and conditions may include
43 ~~prohibiting a any of the following:~~

44 (1) Prohibiting the child from driving a motor
45 vehicle for a specified period of time or under
46 specific circumstances, or the supervision. The court
47 shall notify the department of transportation of an
48 order prohibiting the child from driving.

49 (2) Supervision of the child by a juvenile court
50 officer or other agency or person designated by the

HF2473.4498.S (1) 85

-21-

jh

21/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 court, and may include the requirement that the child
2 perform.

3 (3) The performance of a work assignment of
4 value to the state or to the public or make making
5 restitution consisting of a monetary payment to the
6 victim or a work assignment directly of value to the
7 victim. The court shall notify the state department of
8 transportation of an order prohibiting the child from
9 driving.

10 (4) Placement of the child in a group or family
11 foster care setting, if the court makes a determination
12 that such a placement is the least restrictive option.

13 b. A child's need for shelter placement or for
14 inpatient mental health or substance abuse treatment
15 does not preclude entry or continued execution of a
16 consent decree.

17 Sec. 75. Section 234.35, subsection 1, paragraph e,
18 Code 2014, is amended to read as follows:

19 e. When a court has entered an order transferring
20 the legal custody of the child to a foster care
21 placement pursuant to section 232.46, section 232.52,
22 subsection 2, paragraph "d", or section 232.102,
23 subsection 1. However, payment for a group foster
24 care placement shall be limited to those placements
25 which conform to a service area group foster care plan
26 established pursuant to section 232.143.

27 DIVISION X
28 SOLAR TAX CREDITS

29 Sec. 76. 2014 Iowa Acts, Senate File 2340, if
30 enacted, is amended by adding the following new
31 section:

32 Sec. _____. Section 422.33, subsection 29, paragraph
33 a, Code 2014, is amended to read as follows:

34 a. The taxes imposed under this division shall
35 be reduced by a solar energy system tax credit equal
36 to fifty sixty percent of the federal energy credit
37 related to solar energy systems provided in section 48
38 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III) of
39 the Internal Revenue Code, not to exceed fifteen twenty
40 thousand dollars.

41 Sec. 77. Section 422.11L, subsection 1, paragraphs
42 a and b, as amended by 2014 Iowa Acts, Senate File
43 2340, section 1, if enacted, is amended to read as
44 follows:

45 a. Sixty percent of the federal residential energy
46 efficient property credit related to solar energy
47 provided in section 25D 25E(a)(1) and section 25D(a)(2)
48 of the Internal Revenue Code, not to exceed five
49 thousand dollars.

50 b. Sixty percent of the federal energy credit

HF2473.4498.S (1) 85

-22-

jh

22/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 related to solar energy systems provided in section
2 ~~48~~ 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III)
3 of the Internal Revenue Code, not to exceed twenty
4 thousand dollars.

5 Sec. 78. Section 422.60, subsection 12, paragraph
6 a, as enacted by 2014 Iowa Acts, House File 2438,
7 section 27, is amended to read as follows:

8 a. The taxes imposed under this division shall
9 be reduced by a solar energy system tax credit equal
10 to ~~fifty~~ sixty percent of the federal energy credit
11 related to solar energy systems provided in section
12 ~~48~~ 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III)
13 of the Internal Revenue Code, not to exceed ~~fifteen~~
14 ~~twenty~~thousand dollars.

15 Sec. 79. EFFECTIVE UPON ENACTMENT. The following
16 provision or provisions of this division of this Act,
17 being deemed of immediate importance, take effect upon
18 enactment:

19 1. The section amending section 422.33, subsection
20 29, paragraph "a".

21 2. The section amending section 422.11L, subsection
22 1, paragraphs "a" and "b".

23 3. The section amending section 422.60, subsection
24 12, paragraph "a".

25 Sec. 80. RETROACTIVE APPLICABILITY. The following
26 provision or provisions of this division of this Act
27 apply retroactively to January 1, 2014, for tax years
28 beginning on or after that date:

29 1. The section of this Act amending section 422.33,
30 subsection 29, paragraph "a".

31 2. The section of this Act amending section
32 422.11L, subsection 1, paragraphs "a" and "b".

33 3. The section of this Act amending section 422.60,
34 subsection 12, paragraph "a".

35 DIVISION XI

36 ACCOUNT FOR HEALTH CARE TRANSFORMATION

37 Sec. 81. ACCOUNT FOR HEALTH CARE TRANSFORMATION
38 — FY 2013-2014. As of December 31, 2013, any funds
39 remaining in the account for health care transformation
40 created in section 249J.23, Code 2013, shall revert to
41 the general fund of the state.

42 Sec. 82. IOWACARE ACCOUNT. Until June 30, 2015,
43 any funds remaining in the IowaCare account created in
44 section 249J.24, Code 2013, shall remain available and
45 are appropriated to the department of human services
46 for the payment of valid claims.

47 Sec. 83. IMMEDIATE EFFECTIVE DATE. This division
48 of this Act, being deemed of immediate importance,
49 takes effect upon enactment.

50 Sec. 84. RETROACTIVE APPLICABILITY. The

HF2473.4498.S (1) 85

-23-

jh

23/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 following sections of this division of this Act apply
2 retroactively to July 1, 2013:

3 1. The section relating to the reversion of funds
4 remaining in the account for health care transformation
5 to the general fund of the state.

6 2. The section relating to availability and
7 appropriation of the funds remaining in the IowaCare
8 account.

9 DIVISION XII
10 FLOOD MITIGATION

11 Sec. 85. Section 28F.12, Code 2014, is amended to
12 read as follows:

13 **28F.12 Additional powers of the entity.**

14 If the entity is comprised solely of cities,
15 counties, and sanitary districts established under
16 chapter 358 or any combination thereof, the entity
17 shall have in addition to all the powers enumerated
18 in this chapter, the powers which a county has with
19 respect to solid waste disposal projects and the powers
20 which a governmental entity established under chapter
21 418 has with respect to projects undertaken under
22 chapter 418.

23 Sec. 86. Section 418.1, subsection 4, paragraph c,
24 unnumbered paragraph 1, Code 2014, is amended to read
25 as follows:

26 A joint board or other legal or administrative
27 entity established or designated in an agreement
28 pursuant to chapter 28E or chapter 28F between any of
29 the following:

30 Sec. 87. Section 418.1, subsection 4, paragraph
31 c, Code 2014, is amended by adding the following new
32 subparagraph:

33 NEW SUBPARAGRAPH. (4) One or more counties, one or
34 more cities that are located in whole or in part within
35 those counties, and a sanitary district established
36 under chapter 358 or a combined water and sanitary
37 district established under chapter 357 or 358 located
38 in whole or in part within those counties.

39 Sec. 88. Section 418.11, subsection 3, paragraph c,
40 Code 2014, is amended to read as follows:

41 c. For projects approved for a governmental entity
42 as defined in section 418.1, subsection 4, paragraph
43 "c", the area used to determine the sales tax increment
44 shall include the incorporated areas of each city that
45 is participating in the chapter 28E agreement, the
46 unincorporated areas of ~~the~~ each participating county,
47 ~~and~~ the area of any participating drainage district not
48 otherwise included in the areas of the participating
49 cities or county, and the area of any participating
50 sanitary district or combined water and sanitary

HF2473.4498.S (1) 85

-24-

jh

24/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 district not otherwise included in the areas of the
2 participating cities or county, as applicable.

3 Sec. 89. Section 418.12, subsection 5, Code 2014,
4 is amended to read as follows:

5 5. If the department of revenue determines that
6 the revenue accruing to the fund or accounts within
7 the fund exceeds ~~thirty million dollars or exceeds the~~
8 ~~amount necessary for the purposes of this chapter if the~~
9 ~~amount necessary is less than thirty million dollars,~~
10 then, as limited by subsection 4, paragraph "a", those
11 excess moneys shall be credited by the department of
12 revenue for deposit in the general fund of the state.

13 Sec. 90. Section 418.14, subsection 3, paragraph a,
14 Code 2014, is amended to read as follows:

15 a. Except as otherwise provided in this section,
16 bonds issued pursuant to this section shall not be
17 subject to the provisions of any other law or charter
18 relating to the authorization, issuance, or sale of
19 bonds. Bonds issued under this section shall not limit
20 or restrict the authority of a governmental entity as
21 defined in section 418.1, subsection 4, paragraphs
22 "a" and "b", or a city, county, or drainage special
23 district participating in a governmental entity as
24 defined in section 418.1, subsection 4, paragraph "c",
25 to issue bonds for the project under other provisions
26 of the Code.

27 Sec. 91. Section 418.15, subsection 4, Code 2014,
28 is amended to read as follows:

29 4. All property and improvements acquired by
30 a governmental entity as defined in section 418.1,
31 subsection 4, paragraph "c", relating to a project
32 shall be transferred to the county, city, or drainage
33 special district designated in the chapter 28E
34 agreement to receive such property and improvements.
35 The county, city, or drainage special district to which
36 such property or improvements are transferred shall,
37 unless otherwise provided in the chapter 28E agreement,
38 be solely responsible for the ongoing maintenance and
39 support of such property and improvements.

40 Sec. 92. EFFECTIVE UPON ENACTMENT. This division
41 of this Act, being deemed of immediate importance,
42 takes effect upon enactment.

43 DIVISION XIII

44 DENTAL COVERAGE — EXTERNAL REVIEW

45 Sec. 93. EXTERNAL REVIEW — REPEAL. The sections
46 of 2014 Iowa Acts, House File 2463, included in
47 the division of the Act amending sections 514J.102
48 and 514J.103, and providing the directive to review
49 the bases used for external review of adverse
50 determinations, if enacted, are repealed.

HF2473.4498.S (1) 85

-25-

jh

25/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 Sec. 94. Section 514J.102, subsection 1, Code 2014,
2 is amended to read as follows:
3 1. *"Adverse determination"* means a determination
4 by a health carrier, except a health carrier issuing
5 a policy or certificate that provides coverage for
6 dental care, that an admission, availability of care,
7 continued stay, or other health care service that
8 is a covered benefit has been reviewed and, based
9 upon the information provided, does not meet the
10 health carrier's requirements for medical necessity,
11 appropriateness, health care setting, level of care,
12 or effectiveness, and the requested service or payment
13 for the service is therefore denied, reduced, or
14 terminated. "Adverse determination" does not include
15 a denial of coverage for a service or treatment
16 specifically listed in plan or evidence of coverage
17 documents as excluded from coverage. For purposes
18 of a health carrier issuing a policy or certificate
19 that provides coverage for dental care, "adverse
20 determination" means a determination by the health
21 carrier that availability of care or other health care
22 service that is a covered benefit has been reviewed
23 and, based upon the information provided, does not
24 meet the health carrier's requirements for medical
25 necessity and the requested service or payment for the
26 service is therefore denied, reduced, or terminated.
27 For purposes of a health carrier issuing a policy or
28 certificate that provides coverage for dental care,
29 medical necessity shall be the only basis upon which a
30 health carrier may deny payment for dental care that
31 is otherwise a covered benefit under the policy or
32 certificate.

33 DIVISION XIV
34 EMPLOYMENT RIDES

35 Sec. 95. NEW SECTION. 324A.8 Iowa employment rides
36 initiative — grant program.
37 1. As used in this section, unless the context
38 otherwise requires, *"employment transportation"* means
39 an urban or rural program or service that provides
40 an individual with transportation solely to or from a
41 workplace, including but not limited to the following
42 programs and services:
43 a. Expanding or sustaining existing transportation
44 services or service hours.
45 b. Coordinating ride share services, including car
46 pool or van pool services.
47 c. Shuttle services.
48 2. The Iowa employment rides initiative is
49 established in the department to provide funds to
50 public transit systems for programs and services that

HF2473.4498.S (1) 85

-26-

jh

26/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 provide employment transportation to Iowans.
2 3. The department shall award funds from the
3 initiative on a competitive grant basis. A grant shall
4 not exceed one hundred fifty thousand dollars. A grant
5 application shall contain a commitment from the public
6 transit system of at least a dollar-for-dollar match of
7 the grant funds awarded. Moneys charged to individuals
8 receiving employment transportation services cannot
9 be used as matching funds. Grant funds shall be used
10 only for operational costs directly associated with
11 providing employment transportation and shall not be
12 used for capital expenditures or construction.

13 4. A public transit system may coordinate
14 with other local, state, or federal governmental
15 agencies and private nonprofit organizations in the
16 administration of a program or service receiving a
17 grant under the initiative and in expenditure of grant
18 funds.

19 5. The department shall submit an annual report on
20 the outcomes of the initiative, including the grant
21 amount, the type of program or service receiving funds,
22 and the number of individuals served for each grant
23 awarded by the initiative to the general assembly by
24 January 1 each year. As a condition of having received
25 a grant from the initiative, a public transit system
26 shall provide the department with information on any
27 program or service for which the public transit system
28 is awarded a grant from the initiative.

29 6. The department shall adopt rules to administer
30 the initiative, including but not limited to an
31 application process and grant award criteria.

32 Sec. 96. EMPLOYMENT RIDES — APPROPRIATION. There
33 is appropriated from the general fund of the state to
34 the department of transportation for the fiscal year
35 beginning July 1, 2014, and ending June 30, 2015, the
36 following amount, or so much thereof as is necessary,
37 to be used for the purposes designated:

38 For grants under the Iowa employment rides
39 initiative:

40 \$ 1,000,000

41 Notwithstanding section 8.33, moneys appropriated in
42 this section that remain unencumbered or unobligated
43 at the close of the fiscal year shall not revert but
44 shall remain available for expenditure for the purposes
45 designated until the close of the succeeding fiscal
46 year.

47 DIVISION XV

48 STATE PERCENT OF GROWTH

49 Sec. 97. Section 257.8, subsection 1, Code 2014, is
50 amended to read as follows:

HF2473.4498.S (1) 85

-27-

jh

27/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 1. *State percent of growth.* ~~The state percent of~~
2 ~~growth for the budget year beginning July 1, 2012,~~
3 ~~is two percent.~~ The state percent of growth for the
4 budget year beginning July 1, 2013, is two percent.
5 The state percent of growth for the budget year
6 beginning July 1, 2014, is four percent. The state
7 percent of growth for the budget year beginning July
8 1, 2015, is six percent. The state percent of growth
9 for each subsequent budget year shall be established
10 by statute which shall be enacted within thirty days
11 of the submission in the year preceding the base year
12 of the governor's budget under section 8.21. The
13 establishment of the state percent of growth for a
14 budget year shall be the only subject matter of the
15 bill which enacts the state percent of growth for a
16 budget year.

17 Sec. 98. EFFECTIVE UPON ENACTMENT. This division
18 of this Act, being deemed of immediate importance,
19 takes effect upon enactment.

20 DIVISION XVI

21 CATEGORICAL STATE PERCENT OF GROWTH

22 Sec. 99. Section 257.8, subsection 2, Code 2014, is
23 amended to read as follows:

24 2. *Categorical state percent of growth.* ~~The~~
25 ~~categorical state percent of growth for the budget~~
26 ~~year beginning July 1, 2012, is two percent.~~ The
27 categorical state percent of growth for the budget
28 year beginning July 1, 2013, is two percent. The
29 categorical state percent of growth for the budget
30 year beginning July 1, 2014, is four percent. The
31 categorical state percent of growth for the budget
32 year beginning July 1, 2015, is six percent. The
33 categorical state percent of growth for each budget
34 year shall be established by statute which shall
35 be enacted within thirty days of the submission in
36 the year preceding the base year of the governor's
37 budget under section 8.21. The establishment of the
38 categorical state percent of growth for a budget year
39 shall be the only subject matter of the bill which
40 enacts the categorical state percent of growth for a
41 budget year. The categorical state percent of growth
42 may include state percents of growth for the teacher
43 salary supplement, the professional development
44 supplement, the early intervention supplement, and the
45 teacher leadership supplement.

46 Sec. 100. EFFECTIVE UPON ENACTMENT. This division
47 of this Act, being deemed of immediate importance,
48 takes effect upon enactment.>

49 2. Title page, by striking lines 1 through 3
50 and inserting <An Act relating to state and local

HF2473.4498.S (1) 85

-28-

jh

28/29



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 finances by making appropriations, providing for fees,
2 providing for legal responsibilities, and providing for
3 regulatory requirements, taxation, and other properly
4 related matters, and including penalties and effective
5 date and retroactive applicability provisions.>>



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

Senate File 2360

H-8388

1 Amend the amendment, H-8333, to Senate File 2360, as
2 passed by the Senate, as follows:
3 1. Page 1, by striking lines 1 through 39 and
4 inserting:
5 <Amend Senate File 2360, as passed by the Senate, as
6 follows:
7 1. By striking everything after the enacting clause
8 and inserting:
9 <Section 1. Section 124.401, subsection 5, Code
10 2014, is amended by adding the following new unnumbered
11 paragraph after unnumbered paragraph 2:
12 NEW UNNUMBERED PARAGRAPH. A person may knowingly
13 or intentionally recommend, possess, use, dispense,
14 deliver, transport, or administer cannabidiol if the
15 recommendation, possession, use, dispensing, delivery,
16 transporting, or administering is in accordance with
17 the provisions of chapter 124D. For purposes of this
18 paragraph, "*cannabidiol*" means the same as defined in
19 section 124D.2.
20 Sec. 2. NEW SECTION. 124D.1 Short title.
21 This chapter shall be known and may be cited as the
22 "*Medical Cannabidiol Act*".
23 Sec. 3. NEW SECTION. 124D.2 Definitions.
24 As used in this chapter:
25 1. "*Cannabidiol*" means a nonpsychoactive
26 cannabinoid found in the plant *Cannabis sativa* L.
27 or *Cannabis indica* or any other preparation thereof
28 that is essentially free from plant material, and has
29 a tetrahydrocannabinol level of no more than three
30 percent.
31 2. "*Department*" means the department of public
32 health.
33 3. "*Intractable epilepsy*" means an epileptic seizure
34 disorder for which standard medical treatment does
35 not prevent or significantly ameliorate recurring,
36 uncontrolled seizures or for which standard medical
37 treatment results in harmful side effects.
38 4. "*Neurologist*" means an allopathic or osteopathic
39 physician board-certified in neurology in good standing
40 and licensed under chapter 148.
41 5. "*Primary caregiver*" means a person, at least
42 eighteen years of age, who has been designated by a
43 patient's neurologist or a person having custody of a
44 patient, as being necessary to take responsibility for
45 managing the well-being of the patient with respect
46 to the medical use of cannabidiol pursuant to the
47 provisions of this chapter.
48 Sec. 4. NEW SECTION. 124D.3 Neurologist
49 recommendation — medical use of cannabidiol.
50 A neurologist who has examined and treated a patient

H8333.4494 (3) 85

-1-

rh/rj

1/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 suffering from intractable epilepsy may provide but
2 has no duty to provide a written recommendation for
3 the patient's medical use of cannabidiol to treat or
4 alleviate symptoms of intractable epilepsy if no other
5 satisfactory alternative treatment options exist for
6 the patient and all of the following conditions apply:
7 1. The patient is a permanent resident of this
8 state.
9 2. A neurologist has treated the patient for
10 intractable epilepsy for at least six months. For
11 purposes of this treatment period, and notwithstanding
12 section 124D.2, subsection 4, treatment provided by a
13 neurologist may include treatment by an out-of-state
14 licensed neurologist in good standing.
15 3. The neurologist has tried alternative treatment
16 options that have not alleviated the patient's
17 symptoms.
18 4. The neurologist determines the risks of
19 recommending the medical use of cannabidiol are
20 reasonable in light of the potential benefit for the
21 patient.
22 5. The neurologist maintains a patient treatment
23 plan.
24 Sec. 5. NEW SECTION. 124D.4 Cannabidiol
25 registration card.
26 1. *Issuance to patient.* The department may approve
27 the issuance of a cannabidiol registration card by the
28 department of transportation to a patient who:
29 a. Is at least eighteen years of age.
30 b. Is a permanent resident of this state.
31 c. Requests the patient's neurologist to submit
32 a written recommendation to the department signed by
33 the neurologist that the patient may benefit from the
34 medical use of cannabidiol pursuant to section 124D.3.
35 d. Submits an application to the department, on a
36 form created by the department, in consultation with
37 the department of transportation, that contains all of
38 the following:
39 (1) The patient's full name, Iowa residence
40 address, date of birth, and telephone number.
41 (2) A copy of the patient's valid photo
42 identification.
43 (3) Full name, address, and telephone number of the
44 patient's neurologist.
45 (4) Full name, residence address, date of birth,
46 and telephone number of each primary caregiver of the
47 patient, if any.
48 (5) Any other information required by rule.
49 2. *Patient card contents.* A cannabidiol
50 registration card issued to a patient by the department

H8333.4494 (3) 85

-2-

rh/rj

2/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 of transportation pursuant to subsection 1 shall
2 contain, at a minimum, all of the following:
3 *a.* The patient's full name, Iowa residence address,
4 and date of birth.
5 *b.* The patient's photo.
6 *c.* The date of issuance and expiration date of the
7 registration card.
8 *d.* Any other information required by rule.
9 3. *Issuance to primary caregiver.* For a patient in
10 a primary caregiver's care, the department may approve
11 the issuance of a cannabidiol registration card by the
12 department of transportation to the primary caregiver
13 who:
14 *a.* Is at least eighteen years of age.
15 *b.* Requests a patient's neurologist to submit a
16 written recommendation to the department signed by the
17 neurologist that a patient in the primary caregiver's
18 care may benefit from the medical use of cannabidiol
19 pursuant to section 124D.3.
20 *c.* Submits an application to the department, on a
21 form created by the department, in consultation with
22 the department of transportation, that contains all of
23 the following:
24 (1) The primary caregiver's full name, residence
25 address, date of birth, and telephone number.
26 (2) The patient's full name.
27 (3) A copy of the primary caregiver's valid photo
28 identification.
29 (4) Full name, address, and telephone number of the
30 patient's neurologist.
31 (5) Any other information required by rule.
32 4. *Primary caregiver card contents.* A cannabidiol
33 registration card issued by the department of
34 transportation to a primary caregiver pursuant to
35 subsection 3 shall contain, at a minimum, all of the
36 following:
37 *a.* The primary caregiver's full name, residence
38 address, and date of birth.
39 *b.* The primary caregiver's photo.
40 *c.* The date of issuance and expiration date of the
41 registration card.
42 *d.* The full name of each patient in the primary
43 caregiver's care.
44 *e.* Any other information required by rule.
45 5. *Expiration date of card.* A cannabidiol
46 registration card issued pursuant to this section shall
47 expire one year after the date of issuance and may be
48 renewed.
49 6. *Card issuance — department of transportation.*
50 The department may enter into a chapter 28E agreement

H8333.4494 (3) 85

-3-

rh/rj

3/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 with the department of transportation to facilitate the
2 issuance of a cannabidiol registration card pursuant to
3 subsections 1 and 3.

4 Sec. 6. NEW SECTION. 124D.5 Department duties —
5 rules.

6 1. *a.* The department shall maintain a confidential
7 file of the names of each patient to or for whom the
8 department issues a cannabidiol registration card
9 and the name of each primary caregiver to whom the
10 department issues a cannabidiol registration card under
11 section 124D.4.

12 *b.* Individual names contained in the file shall be
13 confidential and shall not be subject to disclosure,
14 except as provided in subparagraph (1).

15 (1) Information in the confidential file maintained
16 pursuant to paragraph “a” may be released to the
17 following persons under the following circumstances:

18 (a) To authorized employees or agents of the
19 department and the department of transportation as
20 necessary to perform the duties of the department and
21 the department of transportation pursuant to this
22 chapter.

23 (b) To authorized employees of state or local
24 law enforcement agencies, but only for the purpose of
25 verifying that a person is lawfully in possession of a
26 cannabidiol registration card issued pursuant to this
27 chapter.

28 (2) Release of information pursuant to subparagraph
29 (1) shall be consistent with the federal Health
30 Insurance Portability and Accountability Act of 1996,
31 Pub. L. No. 104-191.

32 2. The department, in consultation with the
33 department of transportation, shall adopt rules to
34 administer this chapter which shall include but not
35 be limited to rules to establish the manner in which
36 the department shall consider applications for new and
37 renewal cannabidiol registration cards.

38 Sec. 7. NEW SECTION. 124D.6 Medical use of
39 cannabidiol — affirmative defense.

40 1. *a.* A recommendation for the possession or use
41 of cannabidiol as authorized by this chapter shall be
42 provided exclusively by a neurologist for a patient who
43 has been diagnosed with intractable epilepsy.

44 *b.* Cannabidiol provided exclusively pursuant to the
45 recommendation of a neurologist shall be obtained from
46 an out-of-state source and shall only be recommended
47 for oral or transdermal administration.

48 *c.* A neurologist shall be the sole authorized
49 recommender as part of the treatment plan by the
50 neurologist of a patient diagnosed with intractable

H8333.4494 (3) 85

-4-

rh/rj

4/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 epilepsy. A neurologist shall have the sole authority
2 to recommend the use or amount of cannabidiol, if any,
3 in the treatment plan of a patient diagnosed with
4 intractable epilepsy.
5 2. A neurologist, including any authorized agent
6 thereof, shall not be subject to prosecution for the
7 unlawful recommendation, possession, or administration
8 of marijuana under the laws of this state for
9 activities arising directly out of or directly related
10 to the recommendation or use of cannabidiol in the
11 treatment of a patient diagnosed with intractable
12 epilepsy.
13 3. a. In a prosecution for the unlawful possession
14 of marijuana under the laws of this state, including
15 but not limited to chapters 124 and 453B, it is an
16 affirmative and complete defense to the prosecution
17 that the patient has been diagnosed with intractable
18 epilepsy, used or possessed cannabidiol pursuant to a
19 recommendation by a neurologist as authorized under
20 this chapter, and, for a patient eighteen years of
21 age or older, is in possession of a valid cannabidiol
22 registration card.
23 b. In a prosecution for the unlawful possession
24 of marijuana under the laws of this state, including
25 but not limited to chapters 124 and 453B, it is an
26 affirmative and complete defense to the prosecution
27 that the person possessed cannabidiol because the
28 person is a primary caregiver of a patient who has
29 been diagnosed with intractable epilepsy and is in
30 possession of a valid cannabidiol registration card,
31 and where the primary caregiver's possession of the
32 cannabidiol is on behalf of the patient and for the
33 patient's use only as authorized under this chapter.
34 c. (1) The defenses afforded a patient under
35 paragraph "a" apply to a patient only if the quantity
36 of cannabidiol oil possessed by the patient does not
37 exceed thirty-two ounces.
38 (2) The defenses afforded a primary caregiver
39 under paragraph "b" apply to a primary caregiver only
40 if the quantity of cannabidiol oil possessed by the
41 primary caregiver does not exceed thirty-two ounces per
42 patient.
43 d. If a patient or primary caregiver is charged
44 with the commission of a crime and is not in possession
45 of the person's cannabidiol registration card, any
46 charge or charges filed against the person shall be
47 dismissed by the court if the person produces to the
48 court at the person's trial a cannabidiol registration
49 card issued to that person and valid at the time the
50 person was charged.

H8333.4494 (3) 85

-5-

rh/rj

5/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 4. An agency of this state or a political
2 subdivision thereof, including any law enforcement
3 agency, shall not remove or initiate proceedings
4 to remove a patient under the age of eighteen from
5 the home of a parent based solely upon the parent's
6 or patient's possession or use of cannabidiol as
7 authorized under this chapter.
8 Sec. 8. NEW SECTION. 124D.7 Penalties.
9 A person who knowingly or intentionally possesses or
10 uses cannabidiol in violation of the requirements of
11 this chapter is subject to the penalties provided under
12 chapters 124 and 453B.
13 Sec. 9. NEW SECTION. 124D.8 Repeal.
14 This chapter is repealed July 1, 2017.
15 Sec. 10. REPORTS. The university of Iowa carver
16 college of medicine and college of pharmacy shall, on
17 or before July 1 of each year, beginning July 1, 2015,
18 submit a report detailing the scientific literature,
19 studies, and clinical trials regarding the use of
20 cannabidiol on patients diagnosed with intractable
21 epilepsy to the department of public health and the
22 general assembly.>
23 2. Title page, by striking line 2 and inserting
24 <penalties.>>

KLEIN of Washington



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

House File 2473

H-8389

1 Amend the Senate amendment, H-8387, to House File
2 2473, as amended, passed, and reprinted by the House,
3 as follows:
4 1. By striking page 1, line 1, through page 29,
5 line 5, and inserting:
6 <Amend House File 2473, as amended, passed, and
7 reprinted by the House, as follows:
8 _____. By striking everything after the enacting
9 clause and inserting:
10 <DIVISION I
11 STANDING APPROPRIATIONS AND RELATED MATTERS
12 Section 1. 2013 Iowa Acts, chapter 140, is amended
13 by adding the following new section:
14 NEW SECTION. SEC. 1A. BUDGET PROCESS FOR FISCAL
15 YEAR 2015-2016.
16 1. For the budget process applicable to the fiscal
17 year beginning July 1, 2015, on or before October 1,
18 2014, in lieu of the information specified in section
19 8.23, subsection 1, unnumbered paragraph 1, and
20 paragraph "a", all departments and establishments of
21 the government shall transmit to the director of the
22 department of management, on blanks to be furnished
23 by the director, estimates of their expenditure
24 requirements, including every proposed expenditure, for
25 the ensuing fiscal year, together with supporting data
26 and explanations as called for by the director of the
27 department of management after consultation with the
28 legislative services agency.
29 2. The estimates of expenditure requirements
30 shall be in a form specified by the director of
31 the department of management, and the expenditure
32 requirements shall include all proposed expenditures
33 and shall be prioritized by program or the results to
34 be achieved. The estimates shall be accompanied by
35 performance measures for evaluating the effectiveness
36 of the programs or results.
37 Sec. 2. 2013 Iowa Acts, chapter 140, is amended by
38 adding the following new section:
39 NEW SECTION. SEC. 3A. GENERAL ASSEMBLY.
40 1. The appropriations made pursuant to section
41 2.12 for the expenses of the general assembly and
42 legislative agencies for the fiscal year beginning July
43 1, 2014, and ending June 30, 2015, are reduced by the
44 following amount:
45 \$ 3,000,000
46 2. The budgeted amounts for the general assembly
47 for the fiscal year beginning July 1, 2014, may be
48 adjusted to reflect unexpended budgeted amounts from
49 the previous fiscal year.
50 Sec. 3. 2013 Iowa Acts, chapter 140, section 6, is

H8387.4501 (2) 85

-1-

tm/jp

1/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 amended to read as follows:

2 SEC. 6. LIMITATIONS OF STANDING APPROPRIATIONS
3 — FY 2014-2015. Notwithstanding the standing
4 appropriations in the following designated sections for
5 the fiscal year beginning July 1, 2014, and ending June
6 30, 2015, the amounts appropriated from the general
7 fund of the state pursuant to these sections for the
8 following designated purposes shall not exceed the
9 following amounts:

10 1. For operational support grants and community
11 cultural grants under section 99F.11, subsection 3,
12 paragraph "d", subparagraph (1):

13 \$ 208,351
14 416,702

15 2. ~~For regional tourism marketing under section~~
16 ~~99F.11, subsection 3, paragraph "d", subparagraph (2):~~
17 \$ ~~582,000~~

18 3. For payment for nonpublic school transportation
19 under section 285.2:

20 \$ 8,560,931

21 If total approved claims for reimbursement for
22 nonpublic school pupil transportation exceed the amount
23 appropriated in accordance with this subsection, the
24 department of education shall prorate the amount of

25 each approved claim.
26 4. For the enforcement of chapter 453D relating to
27 tobacco product manufacturers under section 453D.8:
28 \$ 9,208
29 18,416

30 Sec. 4. Section 257.35, Code 2014, is amended by
31 adding the following new subsection:

32 NEW SUBSECTION. 8A. Notwithstanding subsection 1,
33 and in addition to the reduction applicable pursuant
34 to subsection 2, the state aid for area education
35 agencies and the portion of the combined district cost
36 calculated for these agencies for the fiscal year
37 beginning July 1, 2014, and ending June 30, 2015, shall
38 be reduced by the department of management by fifteen
39 million dollars. The reduction for each area education
40 agency shall be prorated based on the reduction that
41 the agency received in the fiscal year beginning July
42 1, 2003.

43 DIVISION II

44 CLAIMS AGAINST THE STATE AND BY THE STATE

45 Sec. 5. Section 8.55, subsection 3, paragraph a,
46 Code 2014, is amended to read as follows:

47 a. Except as provided in paragraphs "b", "c",
48 and "d", and "oe", the moneys in the Iowa economic
49 emergency fund shall only be used pursuant to an
50 appropriation made by the general assembly. An

H8387.4501 (2) 85

-2-

tm/jp

2/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 appropriation shall only be made for the fiscal year in
2 which the appropriation is made. The moneys shall only
3 be appropriated by the general assembly for emergency
4 expenditures.

5 Sec. 6. Section 8.55, subsection 3, Code 2014, is
6 amended by adding the following new paragraph:

7 NEW PARAGRAPH. 0e. There is appropriated from the
8 Iowa economic emergency fund to the state appeal board
9 an amount sufficient to pay claims authorized by the
10 state appeal board as provided in section 25.2.

11 Sec. 7. Section 25.2, subsection 4, Code 2014, is
12 amended to read as follows:

13 4. Payments authorized by the state appeal board
14 shall be paid from the appropriation or fund of
15 original certification of the claim. However, if that
16 appropriation or fund has since reverted under section
17 8.33, then such payment authorized by the state appeal
18 board shall be ~~out of any money in the state treasury~~
19 ~~not otherwise appropriated as follows:~~

20 a. From the appropriation made from the Iowa
21 economic emergency fund in section 8.55 for purposes of
22 paying such expenses.

23 b. To the extent the appropriation from the
24 Iowa economic emergency fund described in paragraph
25 "a" is insufficient to pay such expenses, there is
26 appropriated from moneys in the general fund of the
27 state not otherwise appropriated the amount necessary
28 to fund the deficiency.

29 DIVISION III

30 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

31 Sec. 8. AIR QUALITY PROGRAM. Notwithstanding the
32 purposes provided in section 455E.11, subsection 2,
33 paragraph "c", there is appropriated from the household
34 hazardous waste account of the groundwater protection
35 fund to the department of natural resources for the
36 fiscal year beginning July 1, 2014, and ending June 30,
37 2015, the following amount, or so much thereof as is
38 necessary, to be used for the purposes designated:

39 For supporting the department's air quality
40 programs, including salaries, support, maintenance, and
41 miscellaneous purposes:

42 \$ 1,400,000

43 Sec. 9. FOOD SECURITY FOR OLDER INDIVIDUALS. There
44 is appropriated from the general fund of the state to
45 the department on aging for the fiscal year beginning
46 July 1, 2014, and ending June 30, 2015, the following
47 amount, or so much thereof as is necessary, to be used
48 for the purposes designated:

49 To award to each area agency on aging designated
50 under section 231.32 in the proportion that the

H8387.4501 (2) 85

-3-

tm/jp

3/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 estimated amount of older individuals in Iowa served by
2 that area agency on aging bears to the total estimated
3 amount of older individuals in Iowa, to be used to
4 provide congregate meals and home-delivered meals to
5 food-insecure older individuals in Iowa:
6 \$ 250,000
7 Sec. 10. AIR QUALITY STAKEHOLDER GROUP. The
8 director of the department of natural resources shall
9 convene a stakeholder group for purposes of studying
10 the funding of air quality programs administered by
11 the department. By December 1, 2014, the department
12 shall submit a written report to the general assembly
13 regarding the findings and recommendations of the
14 stakeholder group.
15 Sec. 11. PERSONNEL SETTLEMENT AGREEMENT
16 PAYMENTS. The general assembly and the judicial branch
17 shall not enter into a personnel settlement agreement
18 with a state employee that contains a confidentiality
19 provision intended to prevent public disclosure of the
20 agreement or any terms of the agreement.
21 Sec. 12. Section 8.9, subsection 2, paragraph a,
22 Code 2014, is amended to read as follows:
23 a. All grant applications submitted and grant
24 moneys received by a department on behalf of the state
25 shall be reported to the office of grants enterprise
26 management. The office shall by ~~January 31~~ December
27 1 of each year submit to the fiscal services division
28 of the legislative services agency a written report
29 listing all grants received during the ~~previous~~
30 ~~calendar~~ most recently completed federal fiscal year
31 with a value over one thousand dollars and the funding
32 entity and purpose for each grant. However, the
33 reports on grants filed by the state board of regents
34 pursuant to section 8.44 shall be deemed sufficient to
35 comply with the requirements of this subsection. In
36 addition, each department shall submit and the office
37 shall report, as applicable, for each grant applied
38 for or received and other federal moneys received
39 the expected duration of the grant or the other
40 moneys, maintenance of effort or other matching fund
41 requirements throughout and following the period of the
42 grant or the other moneys, the sources of the federal
43 funding and any match funding, any policy, program, or
44 operational requirement associated with receipt of the
45 funding, a status report on changes anticipated in the
46 federal requirements associated with the grant or other
47 federal funding during the fiscal year in progress and
48 the succeeding fiscal year, and any other information
49 concerning the grant or other federal funding that
50 would be helpful in the development of policy or

H8387.4501 (2) 85

-4-

tm/jp

4/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 budget decisions. The fiscal services division of
2 the legislative services agency shall compile the
3 information received for consideration by the standing
4 joint appropriations subcommittees of the general
5 assembly.
6 Sec. 13. Section 68B.3, Code 2014, is amended by
7 adding the following new subsection:
8 NEW SUBSECTION. 2A. This section does not apply to
9 sales of services by a member of a board or commission
10 as defined under section 7E.4 to state executive branch
11 agencies or subunits of departments or independent
12 agencies as defined in section 7E.4 that are not the
13 subunit of the department or independent agency in
14 which the person serves or are not a subunit of a
15 department or independent agency with which the person
16 has substantial and regular contact as part of the
17 person's duties.
18 Sec. 14. Section 97B.52A, subsection 1, paragraph
19 c, subparagraph (2), subparagraph division (b), Code
20 2014, is amended to read as follows:
21 (b) For a member whose first month of entitlement
22 is July 2004 or later, but before July 2014 2016,
23 covered employment does not include employment as a
24 licensed health care professional by a public hospital.
25 For the purposes of this subparagraph, "public
26 hospital" means a hospital licensed pursuant to chapter
27 135B and governed pursuant to chapter 145A, 347, 347A,
28 or 392.
29 Sec. 15. Section 602.1302, subsection 3, Code 2014,
30 is amended to read as follows:
31 3. A revolving fund is created in the state
32 treasury for the payment of jury and witness fees,
33 mileage, costs related to summoning jurors by the
34 judicial branch, costs and fees related to the
35 management and payment of interpreters and translators
36 in judicial branch legal proceedings and court-ordered
37 programs, and attorney fees paid by the state public
38 defender for counsel appointed pursuant to section
39 600A.6A. The judicial branch shall deposit any
40 reimbursements to the state for the payment of jury
41 and witness fees and mileage in the revolving fund.
42 In each calendar quarter the judicial branch shall
43 reimburse the state public defender for attorney fees
44 paid pursuant to section 600A.6B. Notwithstanding
45 section 8.33, unencumbered and unobligated receipts in
46 the revolving fund at the end of a fiscal year do not
47 revert to the general fund of the state. The judicial
48 branch shall on or before February 1 file a financial
49 accounting of the moneys in the revolving fund with
50 the legislative services agency. The accounting shall

H8387.4501 (2) 85

-5-

tm/jp

5/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 include an estimate of disbursements from the revolving
2 fund for the remainder of the fiscal year and for the
3 next fiscal year.

4 Sec. 16. 2013 Iowa Acts, chapter 138, section 157,
5 subsection 5A, if enacted by 2014 Iowa Acts, House File
6 2463, is amended by striking the subsection.

7 DIVISION IV

8 CORRECTIVE PROVISIONS

9 Sec. 17. Section 15.353, subsection 1, paragraph c,
10 subparagraph (2), if enacted by 2014 Iowa Acts, House
11 File 2448, is amended to read as follows:

12 (2) The average dwelling unit cost does not exceed
13 two hundred fifty thousand dollars per dwelling unit
14 if the project involves the rehabilitation, repair,
15 redevelopment, or preservation of ~~eligible property,~~
16 ~~as that term is defined in section 404A.1, subsection~~
17 ~~2~~ property described in section 404A.1, subsection 7,
18 paragraph "a".

19 Sec. 18. Section 15J.4, subsection 1, paragraph b,
20 as amended by 2014 Iowa Acts, House File 2448, section
21 34, if enacted, is amended to read as follows:

22 b. The area was in whole or in part a designated
23 economic development enterprise zone under chapter
24 15E, division XVIII, Code 2014, immediately prior to
25 the effective date of this division of this Act, or
26 the area is in whole or in part an urban renewal area
27 established pursuant to chapter 403.

28 Sec. 19. Section 123.47, subsection 1A, paragraph
29 c, subparagraph (2), as enacted by 2014 Iowa Acts,
30 Senate File 2310, section 1, is amended to read as
31 follows:

32 (2) A person under legal age who consumes or
33 possesses any alcoholic liquor, wine, or beer in
34 connection with a religious observance, ceremony, or
35 ~~right~~ rite.

36 Sec. 20. Section 331.552, subsection 35, as amended
37 by 2014 Iowa Acts, House File 2273, section 5, if
38 enacted, is amended to read as follows:

39 35. a. Destroy special assessment records required
40 by section 445.11 within the county system after ten
41 years have elapsed from the end of the fiscal year in
42 which the special assessment was paid in full. The
43 county treasurer shall also destroy the resolution of
44 necessity, plat, and schedule of assessments required
45 by section 384.51 after ten years have elapsed from the
46 end of the fiscal year in which the entire schedule was
47 paid in full. This ~~subsection~~ paragraph applies to
48 documents described in this ~~subsection~~ paragraph that
49 are in existence before, on, or after July 1, 2003.

50 b. Destroy assessment records required by chapter

H8387.4501 (2) 85

-6-

tm/jp

6/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 468 within the county system after ten years have
2 elapsed from the end of the fiscal year in which the
3 assessment was paid in full. The county treasurer
4 shall also destroy the accompanying documents including
5 any resolutions, plats, or schedule of assessments
6 after ten years have elapsed from the end of the
7 fiscal year in which the entire schedule was paid in
8 full. This ~~subsection~~ paragraph applies to documents
9 described in this ~~subsection~~ paragraph that are in
10 existence before, on, or after July 1, 2014.

11 Sec. 21. Section 422.33, subsection 4, paragraph c,
12 Code 2014, as amended by 2014 Iowa Acts, Senate File
13 2240, section 87, and redesignated as paragraph b,
14 subparagraph (3), is amended to read as follows:

15 (3) Subtract an exemption amount of forty thousand
16 dollars. This exemption amount shall be reduced, but
17 not below zero, by an amount equal to twenty-five
18 percent of the amount by which the alternative minimum
19 taxable income of the taxpayer, computed without regard
20 to the exemption amount in this ~~paragraph~~ subparagraph,
21 exceeds one hundred fifty thousand dollars.

22 Sec. 22. Section 425.15, subsection 1, paragraph a,
23 as enacted by 2014 Iowa Acts, Senate File 2352, section
24 1, is amended to read as follows:

25 a. A veteran of any of the military forces of the
26 United States, who acquired the homestead under 38
27 U.S.C. §21.801, 21.802, prior to August 6, 1991, or
28 under 38 U.S.C. §2101, 2102.

29 Sec. 23. Section 508.36, subsection 13, paragraph
30 d, subparagraph (1), subparagraph division (c), as
31 enacted by 2014 Iowa Acts, Senate File 2131, section 9,
32 is amended to read as follows:

33 (c) Minimum reserves for all other policies ~~of~~ or
34 contracts subject to subsection 1, paragraph "b".

35 Sec. 24. Section 508.36, subsection 16, paragraph
36 c, subparagraph (3), as enacted by 2014 Iowa Acts,
37 Senate File 2131, section 9, is amended to read as
38 follows:

39 (3) Once any portion of a memorandum in support
40 of an opinion submitted under subsection 2 or a
41 principle-based valuation report developed under
42 subsection 14, paragraph "b", subparagraph (3), is
43 cited by a company in its marketing or is publicly
44 volunteered to or before a governmental agency other
45 than a state insurance department or is released by
46 the company to the news media, all portions ~~of~~ of such
47 memorandum or report shall no longer be confidential
48 information.

49 Sec. 25. Section 508.37, subsection 6, paragraph h,
50 subparagraph (8), as enacted by 2014 Iowa Acts, Senate

H8387.4501 (2) 85

-7-

tm/jp

7/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 File 2131, section 13, is amended to read as follows:
2 (8) For policies issued on or after the operative
3 date of the valuation manual, the valuation manual
4 shall provide the Commissioners Standard Mortality
5 Table for use in determining the minimum nonforfeiture
6 standard that may be substituted for the Commissioners
7 1961 Standard Industrial Mortality Table or the
8 Commissioners 1961 Industrial Extended Term Insurance
9 Table. If the commissioner approves by regulation
10 rule any Commissioners Standard Industrial Mortality
11 Table adopted by the national association of insurance
12 commissioners for use in determining the minimum
13 nonforfeiture standard for policies issued on or after
14 the operative date of the valuation manual, then that
15 minimum nonforfeiture standard supersedes the minimum
16 nonforfeiture standard provided by the valuation
17 manual.
18 Sec. 26. Section 537.1301, subsection 46, as
19 enacted by 2014 Iowa Acts, House File 2324, section 17,
20 is amended to read as follows:
21 46. "Threshold amount" means the threshold amount,
22 as determined by 12 C.F.R. §226.3(b) §1026.3(b),
23 in effect during the period the consumer credit
24 transaction was entered into.
25 Sec. 27. 2014 Iowa Acts, Senate File 2257, section
26 15, is amended by striking the section and inserting in
27 lieu thereof the following:
28 SEC. 15. REPEAL. Sections 261.17A, 261.22, 261.39,
29 261.41, 261.44, 261.48, 261.54, 261.81A, and 261.82,
30 Code 2014, are repealed.
31 Sec. 28. REPEAL. 2014 Iowa Acts, House File 2423,
32 section 159, is repealed.
33 Sec. 29. CONTINGENT EFFECTIVENESS. The section
34 of this division of this Act amending section 15.353,
35 subsection 1, paragraph "c", subparagraph (2), takes
36 effect only if 2014 Iowa Acts, House File 2453, is
37 enacted.

38 DIVISION V

39 GENERAL ASSEMBLY PUBLICATIONS PROVISIONS

40 Sec. 30. Section 2.42, subsection 13, Code 2014, is
41 amended to read as follows:
42 13. To establish policies with regard to publishing
43 printed and electronic versions of legal publications
44 as provided in chapters 2A and 2B, including the Iowa
45 Acts, Iowa Code, Code Supplement, Iowa administrative
46 bulletin, Iowa administrative code, and Iowa court
47 rules, or any part of those publications. The
48 publishing policies may include, but are not limited
49 to: the style and format to be used; the frequency
50 of publication; the contents of the publications;

H8387.4501 (2) 85

-8-

tm/jp

8/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 the numbering systems to be used; the preparation of
2 editorial comments or notations; the correction of
3 errors; the type of print or electronic media and
4 data processing software to be used; the number of
5 volumes to be published; recommended revisions; the
6 letting of contracts for publication; the pricing of
7 the publications to which section 22.3 does not apply;
8 access to, and the use, reproduction, legal protection,
9 sale or distribution, and pricing of related data
10 processing software consistent with chapter 22; and any
11 other matters deemed necessary to the publication of
12 uniform and understandable publications.

13 Sec. 31. Section 2A.1, subsection 2, paragraph d,
14 unnumbered paragraph 1, Code 2014, is amended to read
15 as follows:

16 Publication of the official legal publications
17 of the state, including but not limited to the Iowa
18 Acts, Iowa Code, ~~Code Supplement~~, Iowa administrative
19 bulletin, Iowa administrative code, and Iowa court
20 rules as provided in chapter 2B. The legislative
21 services agency shall do all of the following:

22 Sec. 32. Section 2A.5, subsection 2, paragraph b,
23 Code 2014, is amended by striking the paragraph.

24 Sec. 33. Section 2A.5, Code 2014, is amended by
25 adding the following new subsection:

26 NEW SUBSECTION. 2A. The legislative services
27 agency shall publish annually an electronic or printed
28 version of the roster of state officials. The roster
29 of state officials shall include a correct list of
30 state officers and deputies; members of boards and
31 commissions; justices of the supreme court, judges
32 of the court of appeals, and judges of the district
33 courts including district associate judges and judicial
34 magistrates; and members of the general assembly.
35 The office of the governor shall cooperate in the
36 preparation of the list.

37 Sec. 34. Section 2B.5, subsection 3, Code 2014, is
38 amended by striking the subsection.

39 Sec. 35. Section 2B.5A, subsection 2, Code 2014, is
40 amended to read as follows:

41 2. In consultation with the administrative rules
42 coordinator, the administrative code editor shall
43 prescribe a uniform style and form required for a
44 person filing a document for publication in the Iowa
45 administrative bulletin or the Iowa administrative
46 code, including but not limited to a rulemaking
47 document. A rulemaking document includes a notice
48 of intended action as provided in section 17A.4 or
49 an adopted rule for filing as provided in section
50 17A.5. The rulemaking document shall correlate each



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 rule to the uniform numbering system established by
2 the administrative code editor. The administrative
3 code editor shall provide for the publication of
4 an electronic ~~publication~~ version of the Iowa
5 administrative bulletin and the Iowa administrative
6 code. The administrative code editor shall review
7 all submitted documents for style and form and notify
8 the administrative rules coordinator if a rulemaking
9 document is not in proper style or form, and may return
10 or revise a document which is not in proper style and
11 form. The style and form prescribed shall require
12 that a rulemaking document include a reference to the
13 statute which the rules are intended to implement.
14 Sec. 36. Section 2B.5A, subsection 6, paragraph a,
15 subparagraph (2), subparagraph division (b), Code 2014,
16 is amended to read as follows:
17 (b) A print ~~edition~~ version may include an index.
18 Sec. 37. Section 2B.5B, subsection 2, Code 2014, is
19 amended to read as follows:
20 2. The administrative code editor, upon direction
21 by the Iowa supreme court and in accordance with the
22 policies of the legislative council pursuant to section
23 2.42 and the legislative services agency pursuant
24 to section 2A.1, shall prescribe a uniform style and
25 form required for filing a document for publication in
26 the Iowa court rules. The document shall correlate
27 each rule to the uniform numbering system. The
28 administrative code editor shall provide for the
29 publication of an electronic ~~publication~~ version of
30 the Iowa court rules. The administrative code editor
31 shall review all submitted documents for style and
32 form and notify the Iowa supreme court if a rulemaking
33 document is not in proper style or form, and may return
34 or revise a document which is not in proper style and
35 form.
36 Sec. 38. Section 2B.5B, subsection 3, paragraph b,
37 subparagraph (2), subparagraph division (b), Code 2014,
38 is amended to read as follows:
39 (b) A print version ~~shall~~ may include an index.
40 Sec. 39. Section 2B.6, subsection 2, paragraph b,
41 Code 2014, is amended to read as follows:
42 b. The Iowa Code ~~or Code Supplement~~, as provided in
43 section 2B.12.
44 Sec. 40. Section 2B.12, Code 2014, is amended to
45 read as follows:
46 **2B.12 Iowa Code and Code Supplement.**
47 1. The legislative services agency shall control
48 and maintain in a secure electronic repository
49 custodial information used to publish the Iowa Code.
50 2. The legislative services agency shall publish

H8387.4501 (2) 85

-10-

tm/jp

10/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 an annual edition of the Iowa Code as soon as
2 possible after the final adjournment of a regular
3 or special session of a general assembly. However,
4 ~~the legislative services agency may publish a new~~
5 ~~Code Supplement in lieu of the Iowa Code as soon as~~
6 ~~possible after the final adjournment of a regular~~
7 ~~session of a general assembly. The legislative~~
8 ~~services agency may publish a new edition of the Iowa~~
9 ~~Code or Code Supplement as soon as possible after the~~
10 ~~final adjournment of a special session of the general~~
11 ~~assembly.~~
12 3. An edition of the Iowa Code ~~or Code Supplement~~
13 shall contain each Code section in its new or amended
14 form. However, a new section or amendment which does
15 not take effect until after the probable publication
16 date of a succeeding Iowa Code ~~or Code Supplement~~
17 may be deferred for publication in that succeeding
18 Iowa Code ~~or Code Supplement~~. The sections shall
19 be inserted in each edition in a logical order as
20 determined by the Iowa Code editor in accordance with
21 the policies of the legislative council.
22 4. Each section of an Iowa Code ~~or Code Supplement~~
23 shall be indicated by a number printed in boldface
24 type and shall have an appropriate headnote printed in
25 boldface type.
26 5. The Iowa Code shall include all of the
27 following:
28 a. The Declaration of Independence.
29 b. The Articles of Confederation.
30 c. The Constitution of the United States.
31 d. The laws of the United States relating to the
32 authentication of records.
33 e. The Constitution of the State of Iowa, original
34 and codified versions.
35 f. The Act admitting Iowa into the union as a
36 state.
37 g. The arrangement of the Code into distinct units,
38 as established by the legislative services agency,
39 which may include titles, subunits of titles, chapters,
40 subunits of chapters, and sections, and subunits of
41 sections. The distinct units shall be numbered and may
42 include names.
43 h. All of the statutes of Iowa of a general and
44 permanent nature, except as provided in subsection 3.
45 i. A comprehensive method to search and identify
46 its contents, including the text of the Constitution
47 and statutes of the State of Iowa.
48 (1) An electronic version may include search and
49 retrieval programming, analysis of titles and chapters,
50 and an index and a summary index.

H8387.4501 (2) 85

-11-

tm/jp

11/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 (2) A print version shall include an analysis of
2 titles and chapters, and may include an index and a
3 summary index.

4 6. The Iowa Code may include all of the following:
5 a. A preface.
6 b. A description of citations to statutes.
7 c. Abbreviations to other publications which may be
8 referred to in the Iowa Code.
9 d. Appropriate historical references or source
10 notes.
11 e. An analysis of the Code by titles and chapters.
12 f. Other reference materials as determined by the
13 Iowa Code editor in accordance with any policies of the
14 legislative council.

15 ~~7. A Code Supplement shall include all of the~~
16 ~~following:~~

17 ~~a. The text of statutes of Iowa of a general~~
18 ~~and permanent nature that were enacted during the~~
19 ~~preceding regular or special session, except as~~
20 ~~provided in subsection 3; an indication of all sections~~
21 ~~repealed during that session; and any amendments to~~
22 ~~the Constitution of the State of Iowa approved by the~~
23 ~~voters since the adjournment of the previous regular~~
24 ~~session of the general assembly.~~

25 ~~b. A chapter title and number for each chapter or~~
26 ~~part of a chapter included.~~

27 ~~c. A comprehensive method to search and identify~~
28 ~~its contents, including the text of statutes and the~~
29 ~~Constitution of the State of Iowa.~~

30 ~~(1) An electronic version may include search and~~
31 ~~retrieval programming and an index and a summary index.~~

32 ~~(2) A print version may include an index and a~~
33 ~~summary index.~~

34 ~~8. 7. The Iowa Code or Code Supplement may include~~
35 ~~appropriate tables showing the disposition of Acts of~~
36 ~~the general assembly, the corresponding sections from~~
37 ~~edition to edition of an Iowa Code or Code Supplement,~~
38 ~~and other reference material as determined by the~~
39 ~~Iowa Code editor in accordance with policies of the~~
40 ~~legislative council.~~

41 8. In lieu of or in addition to publishing an
42 annual edition of the Iowa Code, the legislative
43 services agency, in accordance with the policies of
44 the legislative council, may publish a supplement to
45 the Iowa Code, as necessary or desirable, in a manner
46 similar to the publication of an annual edition of the
47 Iowa Code.

48 Sec. 41. Section 2B.13, subsection 1, unnumbered
49 paragraph 1, Code 2014, is amended to read as follows:
50 The Iowa Code editor in preparing the copy for an

H8387.4501 (2) 85

-12-

tm/jp

12/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 edition of the Iowa Code ~~or Code Supplement~~ shall not
2 alter the sense, meaning, or effect of any Act of the
3 general assembly, but may:
4 Sec. 42. Section 2B.13, subsection 1, paragraph f,
5 Code 2014, is amended to read as follows:
6 *f.* Transfer, divide, or combine sections or parts
7 of sections and add or ~~amend~~ revise headnotes to
8 sections and ~~subsections~~ section subunits. Pursuant to
9 section 3.3, the headnotes are not part of the law.
10 Sec. 43. Section 2B.13, subsection 3, paragraph a,
11 Code 2014, is amended to read as follows:
12 *a.* The Iowa Code editor may, in preparing the copy
13 for an edition of the Iowa Code ~~or Code Supplement~~,
14 establish standards for and change capitalization,
15 spelling, and punctuation in any provision for purposes
16 of uniformity and consistency in language.
17 Sec. 44. Section 2B.13, subsection 4, paragraph a,
18 Code 2014, is amended to read as follows:
19 *a.* The Iowa Code editor shall seek direction
20 from the senate committee on judiciary and the house
21 committee on judiciary when making Iowa Code ~~or Code~~
22 ~~Supplement~~ changes.
23 Sec. 45. Section 2B.13, subsection 5, Code 2014, is
24 amended to read as follows:
25 5. The Iowa Code editor may prepare and publish
26 comments deemed necessary for a proper explanation
27 of the manner of ~~printing~~ publishing a section or
28 chapter of the Iowa Code ~~or Code Supplement~~. The Iowa
29 Code editor shall maintain a record of all of the
30 corrections made under subsection 1. The Iowa Code
31 editor shall also maintain a separate record of the
32 changes made under subsection 1, paragraphs "*b*" through
33 "*h*". The records shall be available to the public.
34 Sec. 46. Section 2B.13, subsection 7, paragraph a,
35 Code 2014, is amended to read as follows:
36 *a.* The effective date of an edition of the Iowa
37 Code or of a supplement to the Iowa Code Supplement
38 or an edition of the Iowa administrative code is its
39 publication date. A publication date is the date the
40 publication is conclusively presumed to be complete,
41 incorporating all revisions or editorial changes.
42 Sec. 47. Section 2B.13, subsection 7, paragraph
43 b, subparagraph (1), Code 2014, is amended to read as
44 follows:
45 (1) For the Iowa Code or a supplement to the
46 Iowa Code Supplement, the publication date is the
47 first day of the next regular session of the general
48 assembly convened pursuant to Article III, section 2,
49 of the Constitution of the State of Iowa. However,
50 the legislative services agency may establish an

H8387.4501 (2) 85

-13-

tm/jp

13/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 alternative publication date, which may be the date
2 that the publication is first available to the public
3 accessing the general assembly's internet site. The
4 legislative services agency shall provide notice of
5 such an alternative publication date on the general
6 assembly's internet site.

7 Sec. 48. Section 2B.17, subsection 2, paragraph b,
8 Code 2014, is amended to read as follows:

9 b. For statutes, the official versions of
10 publications shall be known as the Iowa Acts, the Iowa
11 Code, and the Code Supplement for supplements for the
12 years 1979 through 2011.

13 Sec. 49. Section 2B.17, subsection 4, paragraph c,
14 Code 2014, is amended to read as follows:

15 c. The Iowa Code shall be cited as the Iowa
16 Code. The Code Supplement Supplements to the Iowa
17 Code published for the years 1979 through 2011 shall
18 be cited as the Code Supplement. Subject to the
19 legislative services agency style manual, the Iowa Code
20 may be cited as the Code of Iowa or Code and the Code
21 Supplement may be cited as the Iowa Code Supplement,
22 with references identifying parts of the publication,
23 including but not limited to title or chapter, section,
24 or subunit of a section. If the citation refers to a
25 past edition of the Iowa Code or Code Supplement, the
26 citation shall identify the year of publication. The
27 legislative services agency style manual shall provide
28 for a citation form for any supplements to the Iowa
29 Code published after the year 2013.

30 Sec. 50. Section 2B.18, subsection 1, Code 2014, is
31 amended to read as follows:

32 1. The Iowa Code editor is the custodian of the
33 official legal publications known as the Iowa Acts,
34 Iowa Code, and Code Supplement for supplements to the
35 Iowa Code for the years 1979 through 2011, and for any
36 other supplements to the Iowa Code. The Iowa Code
37 editor may attest to and authenticate any portion
38 of such official legal publication for purposes of
39 admitting a portion of the official legal publication
40 in any court or office of any state, territory,
41 or possession of the United States or in a foreign
42 jurisdiction.

43 Sec. 51. Section 3.1, subsection 1, paragraphs a
44 and b, Code 2014, are amended to read as follows:

45 a. Shall refer to the numbers of the sections or
46 chapters of the Code ~~or Code Supplement~~ to be amended
47 or repealed, but it is not necessary to refer to the
48 sections or chapters in the title.

49 b. Shall refer to the session of the general
50 assembly and the sections and chapters of the Acts to

H8387.4501 (2) 85

-14-

tm/jp

14/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 be amended if the bill relates to a section or sections
2 of an Act not appearing in the Code ~~or codified in a~~
3 ~~supplement to the Code.~~

4 Sec. 52. Section 3.3, Code 2014, is amended to read
5 as follows:

6 **3.3 Headnotes and historical references.**

7 1. Proper headnotes may be placed at the beginning
8 of a section of a bill or at the beginning of a Code
9 section, ~~and at the end of a Code section there may~~
10 ~~be placed a reference to the section number of the~~
11 ~~Code, or any Iowa Act from which the matter of the Code~~
12 ~~section was taken or Code section subunit. However,~~
13 except as provided for the uniform commercial code
14 pursuant to section 554.1107, headnotes shall not be
15 considered as part of the law as enacted.

16 2. At the end of a Code section there may be placed
17 a reference to the section number of the Code, or any
18 Iowa Act from which the matter of the Code section was
19 taken. Historical references shall not be considered
20 as a part of the law as enacted.

21 DIVISION VI

22 SNOWMOBILES

23 Sec. 53. Section 321G.3, subsection 1, Code 2014,
24 is amended to read as follows:

25 1. Each snowmobile used by a resident on public
26 land, public ice, or a designated snowmobile trail
27 of this state shall be currently registered in this
28 state pursuant to section 321G.4. A person resident
29 shall not operate, maintain, or give permission for
30 the operation or maintenance of a snowmobile on public
31 land, public ice, or a designated snowmobile trail
32 unless the snowmobile is registered in accordance with
33 this chapter ~~or applicable federal laws or in accordance~~
34 ~~with an approved numbering system of another state~~
35 ~~and the evidence of registration is in full force and~~
36 ~~effect. A The owner of a snowmobile must also be~~
37 ~~issued obtain a user permit in accordance with this~~
38 ~~chapter section 321G.4A.~~

39 Sec. 54. Section 321G.4, subsections 2 and 4, Code
40 2014, are amended to read as follows:

41 2. The owner of the snowmobile shall file an
42 application for registration with the department
43 through the county recorder of the county of residence,
44 ~~or in the case of a nonresident owner, in the county~~
45 ~~of primary use,~~ in the manner established by the
46 commission. The application shall be completed by the
47 owner and shall be accompanied by a fee of fifteen
48 dollars and a writing fee as provided in section
49 321G.27. A snowmobile shall not be registered by the
50 county recorder until the county recorder is presented

H8387.4501 (2) 85

-15-

tm/jp

15/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 with receipts, bills of sale, or other satisfactory
2 evidence that the sales or use tax has been paid for
3 the purchase of the snowmobile or that the owner is
4 exempt from paying the tax. A snowmobile that has an
5 expired registration certificate from another state may
6 be registered in this state upon proper application,
7 payment of all applicable registration and writing
8 fees, and payment of a penalty of five dollars.

9 4. Notwithstanding subsections 1 and 2, a
10 snowmobile ~~that is more than thirty years old~~
11 manufactured prior to 1984 may be registered as an
12 antique snowmobile for a one-time fee of twenty-five
13 dollars, which shall exempt the owner from annual
14 registration and fee requirements for that snowmobile.
15 However, if ownership of ~~such a~~ an antique snowmobile
16 is transferred, the new owner shall register the
17 snowmobile and pay the one-time fee as required under
18 this subsection. A snowmobile may be registered
19 under this section with only a signed bill of sale as
20 evidence of ownership.

21 Sec. 55. **NEW SECTION. 321G.4B Nonresident**
22 **requirements — penalties.**

23 1. A nonresident wishing to operate a snowmobile
24 on public land, public ice, or a designated snowmobile
25 trail of this state shall obtain a user permit in
26 accordance with section 321G.4A. In addition to
27 obtaining a user permit, a nonresident shall display
28 a current registration decal or other evidence of
29 registration or numbering required by the owner's state
30 of residence unless the owner resides in a state that
31 does not register or number snowmobiles.

32 2. A violation of subsection 1 is punishable as a
33 scheduled violation under section 805.8B, subsection
34 2, paragraph "a". When the scheduled fine is paid, the
35 violator shall submit proof to the department that a
36 user permit has been obtained and provide evidence of
37 registration or numbering as required by the owner's
38 state of residence, if applicable, to the department
39 within thirty days of the date the fine is paid. A
40 person who violates this section is guilty of a simple
41 misdemeanor.

42 Sec. 56. Section 321G.20, Code 2014, is amended by
43 striking the section and inserting in lieu thereof the
44 following:

45 **321G.20 Operation by persons under sixteen.**

46 A person under sixteen years of age shall not
47 operate a snowmobile on a designated snowmobile
48 trail, public land, or public ice unless the operation
49 is under the direct supervision of a parent, legal
50 guardian, or another person of at least eighteen years

H8387.4501 (2) 85

-16-

tm/jp

16/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 of age authorized by the parent or guardian, who is
2 experienced in snowmobile operation and who possesses a
3 valid driver's license, as defined in section 321.1, or
4 an education certificate issued under this chapter.

5 Sec. 57. Section 321G.24, subsection 1, Code 2014,
6 is amended to read as follows:

7 1. A person ~~under eighteen~~ twelve through seventeen
8 years of age shall not operate a snowmobile on public
9 land, public ice, a designated snowmobile trail, or
10 land purchased with snowmobile registration funds
11 in this state without obtaining ~~a valid~~ an education
12 certificate approved by the department and having
13 the certificate in the person's possession, unless
14 the person is accompanied on the same snowmobile by
15 a responsible person of at least eighteen years of
16 age who is experienced in snowmobile operation and
17 possesses a valid driver's license, as defined in
18 section 321.1, or an education certificate issued under
19 this chapter.

20 Sec. 58. Section 805.8B, subsection 2, paragraph a,
21 Code 2014, is amended to read as follows:

22 a. For registration or user permit violations under
23 section 321G.3, subsection 1, or section 321G.4B, the
24 scheduled fine is fifty dollars.

25 DIVISION VII
26 INCOME TAX CHECKOFFS

27 Sec. 59. **NEW SECTION. 422.12D Income tax checkoff**
28 **for the Iowa state fair foundation fund.**

29 1. A person who files an individual or a joint
30 income tax return with the department of revenue under
31 section 422.13 may designate one dollar or more to be
32 paid to the foundation fund of the Iowa state fair
33 foundation as established in section 173.22. If the
34 refund due on the return or the payment remitted with
35 the return is insufficient to pay the amount designated
36 by the taxpayer to the foundation fund, the amount
37 designated shall be reduced to the remaining amount
38 of the refund or the remaining amount remitted with
39 the return. The designation of a contribution to the
40 foundation fund under this section is irrevocable.

41 2. The director of revenue shall draft the income
42 tax form to allow the designation of contributions to
43 the foundation fund on the tax return. The department,
44 on or before January 31, shall transfer the total
45 amount designated on the tax form due in the preceding
46 year to the foundation fund. However, before a
47 checkoff pursuant to this section shall be permitted,
48 all liabilities on the books of the department of
49 administrative services and accounts identified
50 as owing under section 8A.504 and the political

H8387.4501 (2) 85

-17-

tm/jp

17/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 contribution allowed under section 68A.601 shall be
2 satisfied.

3 3. The Iowa state fair board may authorize payment
4 from the foundation fund for purposes of supporting
5 foundation activities.

6 4. The department of revenue shall adopt rules to
7 implement this section.

8 5. This section is subject to repeal under section
9 422.12E.

10 Sec. 60. **NEW SECTION. 422.12L Joint income tax**
11 **checkoff for veterans trust fund and volunteer fire**
12 **fighter preparedness fund.**

13 1. A person who files an individual or a joint
14 income tax return with the department of revenue under
15 section 422.13 may designate one dollar or more to
16 be paid jointly to the veterans trust fund created
17 in section 35A.13 and to the volunteer fire fighter
18 preparedness fund created in section 100B.13. If the
19 refund due on the return or the payment remitted with
20 the return is insufficient to pay the additional amount
21 designated by the taxpayer, the amount designated
22 shall be reduced to the remaining amount of refund or
23 the remaining amount remitted with the return. The
24 designation of a contribution under this section is
25 irrevocable.

26 2. The director of revenue shall draft the income
27 tax form to allow the designation of contributions
28 to the veterans trust fund and to the volunteer fire
29 fighter preparedness fund as one checkoff on the
30 tax return. The department of revenue, on or before
31 January 31, shall transfer one-half of the total
32 amount designated on the tax return forms due in the
33 preceding calendar year to the veterans trust fund and
34 the remaining one-half to the volunteer fire fighter
35 preparedness fund. However, before a checkoff pursuant
36 to this section shall be permitted, all liabilities on
37 the books of the department of administrative services
38 and accounts identified as owing under section 8A.504
39 and the political contribution allowed under section
40 68A.601 shall be satisfied.

41 3. The department of revenue shall adopt rules to
42 administer this section.

43 4. This section is subject to repeal under section
44 422.12E.

45 Sec. 61. **REPEAL. Sections 422.12D and 422.12L,**
46 **Code 2014, are repealed.**

47 Sec. 62. **RETROACTIVE APPLICABILITY. This division**
48 **of this Act applies retroactively to January 1, 2014,**
49 **for tax years beginning on or after that date.**

50 **DIVISION VIII**

H8387.4501 (2) 85

-18-

tm/jp

18/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 COUNTY RECORDERS
2 Sec. 63. Section 321G.1, Code 2014, is amended by
3 adding the following new subsection:
4 NEW SUBSECTION. 9A. "Document" means a snowmobile
5 certificate of title, registration certificate or
6 registration renewal, user permit, or duplicate
7 special registration certificate issued by the county
8 recorder's office.
9 Sec. 64. Section 321G.29, subsection 7, Code 2014,
10 is amended to read as follows:
11 7. The county recorder shall maintain ~~a~~ an
12 electronic record of any certificate of title which the
13 county recorder issues and shall keep each certificate
14 of title on record until the certificate of title has
15 been inactive for five years. When issuing a title
16 for a new snowmobile, the county recorder shall obtain
17 and keep the certificate of origin on file ~~a copy of~~
18 ~~the certificate of origin.~~ When issuing a title and
19 registration for a used snowmobile for which there
20 is no title or registration, the county recorder
21 shall obtain and keep on file the affidavit for the
22 unregistered and untitled snowmobile.
23 Sec. 65. Section 321G.32, subsection 1, paragraph
24 a, Code 2014, is amended to read as follows:
25 a. To perfect the security interest, an application
26 for security interest must be presented along with
27 the original title. The county recorder shall note
28 the security interest on the face of the title and ~~on~~
29 in the copy in electronic record maintained by the
30 recorder's office.
31 Sec. 66. Section 321I.1, Code 2014, is amended by
32 adding the following new subsection:
33 NEW SUBSECTION. 10A. "Document" means an
34 all-terrain vehicle certificate of title, vehicle
35 registration or registration renewal, user permit, or
36 duplicate special registration certificate issued by
37 the county recorder's office.
38 Sec. 67. Section 321I.31, subsection 7, Code 2014,
39 is amended to read as follows:
40 7. The county recorder shall maintain ~~a~~ an
41 electronic record of any certificate of title which the
42 county recorder issues and shall keep each certificate
43 of title on record until the certificate of title has
44 been inactive for five years. When issuing a title for
45 a new all-terrain vehicle, the county recorder shall
46 obtain and keep the certificate of origin on file ~~a~~
47 ~~copy of the certificate of origin.~~ When issuing a
48 title and registration for a used all-terrain vehicle
49 for which there is no title or registration, the county
50 recorder shall obtain and keep on file the affidavit

H8387.4501 (2) 85

-19-

tm/jp

19/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 for the unregistered and untitled all-terrain vehicle.
2 Sec. 68. Section 321I.34, subsection 1, paragraph
3 a, Code 2014, is amended to read as follows:
4 a. To perfect the security interest, an application
5 for security interest must be presented along with
6 the original title. The county recorder shall note
7 the security interest on the face of the title and ~~on~~
8 in the copy in electronic record maintained by the
9 recorder's office.
10 Sec. 69. Section 331.602, subsection 39, Code 2014,
11 is amended to read as follows:
12 39. Accept applications for passports if approved
13 to accept such applications by the United States
14 department of state.
15 Sec. 70. Section 359A.10, Code 2014, is amended to
16 read as follows:
17 **359A.10 Entry and record of orders.**
18 Such orders, decisions, notices, and returns shall
19 be entered of record at length by the township clerk,
20 and a copy thereof certified by the township clerk to
21 the county recorder, who shall record the same in the
22 recorder's office in a book kept for that purpose the
23 manner specified in sections 558.49 and 558.52, and
24 index such record in the name of each adjoining owner
25 as grantor to the other. The county recorder shall
26 collect fees specified in section 331.604.
27 Sec. 71. Section 462A.5, subsection 1, paragraph a,
28 Code 2014, is amended to read as follows:
29 a. The owner of the vessel shall file an
30 application for registration with the appropriate
31 county recorder on forms provided by the commission.
32 The application shall be completed and signed by the
33 owner of the vessel and shall be accompanied by the
34 appropriate fee, and the writing fee specified in
35 section 462A.53. Upon applying for registration, the
36 owner shall display a bill of sale, receipt, or other
37 satisfactory proof of ownership as provided by the
38 rules of the commission to the county recorder. If the
39 county recorder is not satisfied as to the ownership
40 of the vessel or that there are no undisclosed
41 security interests in the vessel, the county recorder
42 may register the vessel but shall, as a condition
43 of issuing a registration certificate, require the
44 applicant to follow the procedure provided in section
45 462A.5A. Upon receipt of the application in approved
46 form accompanied by the required fees, the county
47 recorder shall enter it upon the records of the
48 recorder's office and shall issue to the applicant a
49 pocket-size registration certificate. The certificate
50 shall be executed ~~in triplicate, one copy to be and~~

H8387.4501 (2) 85

-20-

tm/jp

20/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 delivered to the owner, ~~one copy to the commission, and~~
2 ~~one copy to be retained on file by the county recorder.~~
3 The county recorder shall maintain an electronic
4 record of each registration certificate issued by the
5 county recorder under this chapter. The registration
6 certificate shall bear the number awarded to the
7 vessel, the passenger capacity of the vessel, and the
8 name and address of the owner. In the use of all
9 vessels except nonpowered sailboats, nonpowered canoes,
10 and commercial vessels, the registration certificate
11 shall be carried either in the vessel or on the person
12 of the operator of the vessel when in use. In the
13 use of nonpowered sailboats, nonpowered canoes, or
14 commercial vessels, the registration certificate may be
15 kept on shore in accordance with rules adopted by the
16 commission. The operator shall exhibit the certificate
17 to a peace officer upon request or, when involved in an
18 occurrence of any nature with another vessel or other
19 personal property, to the owner or operator of the
20 other vessel or personal property.

21 Sec. 72. Section 462A.77, subsection 7, Code 2014,
22 is amended to read as follows:

23 7. The county recorder shall maintain a an
24 electronic record of any each certificate of title
25 which issued by the county recorder issues and shall
26 keep each certificate of title on record under this
27 chapter until the certificate of title has been
28 inactive for five years.

29 Sec. 73. Section 462A.84, subsection 1, paragraph
30 a, Code 2014, is amended to read as follows:

31 a. To perfect the security interest, an application
32 for security interest must be presented along with
33 the original title. The county recorder shall note
34 the security interest on the face of the title and ~~on~~
35 in the copy in electronic record maintained by the
36 recorder's office.

37 DIVISION IX
38 FOSTER CARE

39 Sec. 74. Section 232.46, subsection 1, Code 2014,
40 is amended to read as follows:

41 1. a. At any time after the filing of a petition
42 and prior to entry of an order of adjudication
43 pursuant to section 232.47, the court may suspend the
44 proceedings on motion of the county attorney or the
45 child's counsel, enter a consent decree, and continue
46 the case under terms and conditions established by
47 the court. These terms and conditions may include
48 prohibiting a any of the following:

49 (1) Prohibiting the child from driving a motor
50 vehicle for a specified period of time or under

H8387.4501 (2) 85

-21-

tm/jp

21/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 specific circumstances, ~~or the supervision.~~ The court
2 shall notify the department of transportation of an
3 order prohibiting the child from driving.

4 (2) Supervision of the child by a juvenile court
5 officer or other agency or person designated by the
6 court, ~~and may include the requirement that the child~~
7 ~~perform.~~

8 (3) The performance of a work assignment of
9 value to the state or to the public ~~or make making~~
10 restitution consisting of a monetary payment to the
11 victim or a work assignment directly of value to the
12 victim. ~~The court shall notify the state department of~~
13 ~~transportation of an order prohibiting the child from~~
14 ~~driving.~~

15 (4) Placement of the child in a group or family
16 foster care setting, if the court makes a determination
17 that such a placement is the least restrictive option.

18 b. A child's need for shelter placement or for
19 inpatient mental health or substance abuse treatment
20 does not preclude entry or continued execution of a
21 consent decree.

22 Sec. 75. Section 234.35, subsection 1, paragraph e,
23 Code 2014, is amended to read as follows:

24 e. When a court has entered an order transferring
25 the legal custody of the child to a foster care
26 placement pursuant to section 232.46, section 232.52,
27 subsection 2, paragraph ~~"d"~~, or section 232.102,
28 subsection 1. However, payment for a group foster
29 care placement shall be limited to those placements
30 which conform to a service area group foster care plan
31 established pursuant to section 232.143.

32 DIVISION X

33 SOLAR TAX CREDITS

34 Sec. 76. 2014 Iowa Acts, Senate File 2340, if
35 enacted, is amended by adding the following new
36 section:

37 Sec. _____. Section 422.33, subsection 29, paragraph
38 a, Code 2014, is amended to read as follows:

39 a. The taxes imposed under this division shall
40 be reduced by a solar energy system tax credit equal
41 to ~~fifty~~ sixty percent of the federal energy credit
42 related to solar energy systems provided in section ~~48~~
43 ~~48(a)(2)(A)(i)(II)~~ and section 48(a)(2)(A)(i)(III) of
44 the Internal Revenue Code, not to exceed ~~fifteen~~ twenty
45 thousand dollars.

46 Sec. 77. Section 422.11L, subsection 1, paragraphs
47 a and b, as amended by 2014 Iowa Acts, Senate File
48 2340, section 1, if enacted, is amended to read as
49 follows:

50 a. Sixty percent of the federal residential energy

H8387.4501 (2) 85

-22-

tm/jp

22/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 efficient property credit related to solar energy
2 provided in section ~~25D~~ 25E(a)(1) and section 25D(a)(2)
3 of the Internal Revenue Code, not to exceed five
4 thousand dollars.
5 **b.** Sixty percent of the federal energy credit
6 related to solar energy systems provided in section
7 ~~48~~ 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III)
8 of the Internal Revenue Code, not to exceed twenty
9 thousand dollars.
10 Sec. 78. Section 422.60, subsection 12, paragraph
11 a, as enacted by 2014 Iowa Acts, House File 2438,
12 section 27, is amended to read as follows:
13 **a.** The taxes imposed under this division shall
14 be reduced by a solar energy system tax credit equal
15 to ~~fifty~~ sixty percent of the federal energy credit
16 related to solar energy systems provided in section ~~48~~
17 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III) of
18 the Internal Revenue Code, not to exceed ~~fifteen~~ twenty
19 thousand dollars.
20 Sec. 79. EFFECTIVE UPON ENACTMENT. The following
21 provision or provisions of this division of this Act,
22 being deemed of immediate importance, take effect upon
23 enactment:
24 1. The section amending section 422.33, subsection
25 29, paragraph "a".
26 2. The section amending section 422.11L, subsection
27 1, paragraphs "a" and "b".
28 3. The section amending section 422.60, subsection
29 12, paragraph "a".
30 Sec. 80. RETROACTIVE APPLICABILITY. The following
31 provision or provisions of this division of this Act
32 apply retroactively to January 1, 2014, for tax years
33 beginning on or after that date:
34 1. The section of this Act amending section 422.33,
35 subsection 29, paragraph "a".
36 2. The section of this Act amending section
37 422.11L, subsection 1, paragraphs "a" and "b".
38 3. The section of this Act amending section 422.60,
39 subsection 12, paragraph "a".
40 DIVISION XI
41 ACCOUNT FOR HEALTH CARE TRANSFORMATION
42 Sec. 81. ACCOUNT FOR HEALTH CARE TRANSFORMATION
43 — FY 2013-2014. As of December 31, 2013, any funds
44 remaining in the account for health care transformation
45 created in section 249J.23, Code 2013, shall revert to
46 the general fund of the state.
47 Sec. 82. IOWACARE ACCOUNT. Until June 30, 2015,
48 any funds remaining in the IowaCare account created in
49 section 249J.24, Code 2013, shall remain available and
50 are appropriated to the department of human services

H8387.4501 (2) 85

-23-

tm/jp

23/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 for the payment of valid claims.

2 Sec. 83. IMMEDIATE EFFECTIVE DATE. This division
3 of this Act, being deemed of immediate importance,
4 takes effect upon enactment.

5 Sec. 84. RETROACTIVE APPLICABILITY. The
6 following sections of this division of this Act apply
7 retroactively to July 1, 2013:

8 1. The section relating to the reversion of funds
9 remaining in the account for health care transformation
10 to the general fund of the state.

11 2. The section relating to availability and
12 appropriation of the funds remaining in the IowaCare
13 account.

14 DIVISION XII
15 FLOOD MITIGATION

16 Sec. 85. Section 28F.12, Code 2014, is amended to
17 read as follows:

18 **28F.12 Additional powers of the entity.**

19 If the entity is comprised solely of cities,
20 counties, and sanitary districts established under
21 chapter 358 or any combination thereof, the entity
22 shall have in addition to all the powers enumerated
23 in this chapter, the powers which a county has with
24 respect to solid waste disposal projects and the powers
25 which a governmental entity established under chapter
26 418 has with respect to projects undertaken under
27 chapter 418.

28 Sec. 86. Section 418.1, subsection 4, paragraph c,
29 unnumbered paragraph 1, Code 2014, is amended to read
30 as follows:

31 A joint board or other legal or administrative
32 entity established or designated in an agreement
33 pursuant to chapter 28E or chapter 28F between any of
34 the following:

35 Sec. 87. Section 418.1, subsection 4, paragraph
36 c, Code 2014, is amended by adding the following new
37 subparagraph:

38 **NEW SUBPARAGRAPH.** (4) One or more counties, one or
39 more cities that are located in whole or in part within
40 those counties, and a sanitary district established
41 under chapter 358 or a combined water and sanitary
42 district established under chapter 357 or 358 located
43 in whole or in part within those counties.

44 Sec. 88. Section 418.11, subsection 3, paragraph c,
45 Code 2014, is amended to read as follows:

46 c. For projects approved for a governmental entity
47 as defined in section 418.1, subsection 4, paragraph
48 "c", the area used to determine the sales tax increment
49 shall include the incorporated areas of each city that
50 is participating in the chapter 28E agreement, the

H8387.4501 (2) 85

-24-

tm/jp

24/26



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 unincorporated areas of ~~the each~~ participating county,
2 ~~and~~ the area of any participating drainage district not
3 otherwise included in the areas of the participating
4 cities or county, and the area of any participating
5 sanitary district or combined water and sanitary
6 district not otherwise included in the areas of the
7 participating cities or county, as applicable.

8 Sec. 89. Section 418.12, subsection 5, Code 2014,
9 is amended to read as follows:

10 5. If the department of revenue determines that
11 the revenue accruing to the fund or accounts within
12 the fund exceeds ~~thirty million dollars or exceeds~~
13 the amount necessary for the purposes of this chapter
14 ~~if the amount necessary is less than thirty million~~
15 ~~dollars, then, as limited by subsection 4, paragraph~~
16 ~~"a", those excess moneys shall be credited by the~~
17 ~~department of revenue for deposit in the general fund~~
18 ~~of the state.~~

19 Sec. 90. Section 418.14, subsection 3, paragraph a,
20 Code 2014, is amended to read as follows:

21 a. Except as otherwise provided in this section,
22 bonds issued pursuant to this section shall not be
23 subject to the provisions of any other law or charter
24 relating to the authorization, issuance, or sale of
25 bonds. Bonds issued under this section shall not limit
26 or restrict the authority of a governmental entity as
27 defined in section 418.1, subsection 4, paragraphs
28 "a" and "b", or a city, county, or drainage special
29 district participating in a governmental entity as
30 defined in section 418.1, subsection 4, paragraph "c",
31 to issue bonds for the project under other provisions
32 of the Code.

33 Sec. 91. Section 418.15, subsection 4, Code 2014,
34 is amended to read as follows:

35 4. All property and improvements acquired by
36 a governmental entity as defined in section 418.1,
37 subsection 4, paragraph "c", relating to a project
38 shall be transferred to the county, city, or drainage
39 special district designated in the chapter 28E
40 agreement to receive such property and improvements.
41 The county, city, or drainage special district to which
42 such property or improvements are transferred shall,
43 unless otherwise provided in the chapter 28E agreement,
44 be solely responsible for the ongoing maintenance and
45 support of such property and improvements.

46 Sec. 92. EFFECTIVE UPON ENACTMENT. This division
47 of this Act, being deemed of immediate importance,
48 takes effect upon enactment.>

49 _____. Title page, by striking lines 1 through 3
50 and inserting <An Act relating to state and local



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 finances by making appropriations, providing for fees,
2 providing for legal responsibilities, and providing for
3 regulatory requirements, taxation, and other properly
4 related matters, and including penalties and effective
5 date and retroactive applicability provisions.>>

SODERBERG of Plymouth



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

House Concurrent Resolution 109 - Introduced

HOUSE CONCURRENT RESOLUTION NO. 109

BY PAULSEN and M. SMITH

1 A Concurrent Resolution to provide for adjournment sine
2 die.
3 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES,
4 THE SENATE CONCURRING, That when adjournment is
5 had on Thursday, May 1, 2014, it shall be the final
6 adjournment of the 2014 Regular Session of the
7 Eighty-fifth General Assembly.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

House Amendment to
Senate Amendment to
House File 2460

S-5207

1 Amend the Senate amendment, H-8349, to House File
2 2460, as amended, passed, and reprinted by the House,
3 as follows:
4 1. Page 2, after line 13 by inserting:
5 <Sec. _____. Section 15.108, subsection 6, paragraph
6 a, Code 2014, is amended to read as follows:
7 a. Coordinate and perform the duties specified
8 under the Iowa industrial new jobs training Act in
9 chapter 260E, ~~the Iowa jobs training Act in chapter~~
10 ~~260F~~, and the workforce development fund in section
11 15.341.>
12 2. Page 7, after line 22 by inserting:
13 <Sec. _____. Section 260F.2, subsection 2, Code 2014,
14 is amended by striking the subsection.
15 Sec. _____. Section 260F.2, Code 2014, is amended by
16 adding the following new subsection:
17 NEW SUBSECTION. 4A. "Department" means the
18 department of education.>
19 3. Page 7, line 37, by striking <authority> and
20 inserting <authority department>
21 4. Page 8, by striking lines 24 through 27.
22 5. Page 9, line 17, by striking <authority> and
23 inserting <department>
24 6. Page 9, line 21, by striking <authority> and
25 inserting <department>
26 7. Page 9, line 34, by striking <authority> and
27 inserting <department>
28 8. Page 9, line 40, by striking <authority> and
29 inserting <department>
30 9. Page 9, line 47, by striking <authority> and
31 inserting <department>
32 10. Page 10, line 7, by striking <authority> and
33 inserting <department>
34 11. Page 10, by striking lines 21 through 32 and
35 inserting:
36 <260F.7 ~~Economic development authority~~ Department of
37 education to coordinate.>
38 ~~The economic development authority, in consultation~~
39 ~~with the department of education and the department of~~
40 ~~workforce development, department shall coordinate the~~
41 ~~jobs training program. A project shall not be funded~~
42 ~~under this chapter unless the economic development~~
43 ~~authority approves the project. The authority~~
44 ~~department shall adopt rules pursuant to chapter 17A~~
45 ~~governing the program's operation and eligibility for~~
46 ~~participation in the program. The authority department~~
47 ~~shall establish by rule criteria for determining what~~
48 ~~constitutes an eligible business.~~>
49 12. Page 10, line 38, by striking <authority> and
50 inserting <department>

H8349.4500.H (3) 85

-1-

md

1/2



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 13. Page 12, by striking lines 26 and 27 and
2 inserting:
3 <Sec. _____. REPEAL. Section 15.343, Code 2014, is
4 repealed.
5 Sec. _____. REPEAL. Section 260F.6A, Code 2014, is
6 repealed.
7 Sec. _____. REPEAL. Section 260F.6B, Code 2014, is
8 repealed.>
9 14. Page 12, line 29, after <authority> by
10 inserting <and the department of education>
11 15. By renumbering as necessary.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

House Amendment to
Senate File 2360

S-5208

1 Amend Senate File 2360, as passed by the Senate, as
2 follows:

3 1. By striking everything after the enacting clause
4 and inserting:

5 <Section 1. Section 124.401, subsection 5, Code
6 2014, is amended by adding the following new unnumbered
7 paragraph after unnumbered paragraph 2:

8 NEW UNNUMBERED PARAGRAPH. A person may knowingly
9 or intentionally recommend, possess, use, dispense,
10 deliver, transport, or administer cannabidiol if the
11 recommendation, possession, use, dispensing, delivery,
12 transporting, or administering is in accordance with
13 the provisions of chapter 124D. For purposes of this
14 paragraph, "*cannabidiol*" means the same as defined in
15 section 124D.2.

16 Sec. 2. NEW SECTION. 124D.1 Short title.

17 This chapter shall be known and may be cited as the
18 "*Medical Cannabidiol Act*".

19 Sec. 3. NEW SECTION. 124D.2 Definitions.

20 As used in this chapter:

21 1. "*Cannabidiol*" means a nonpsychoactive
22 cannabinoid found in the plant *Cannabis sativa* L.
23 or *Cannabis indica* or any other preparation thereof
24 that is essentially free from plant material, and has
25 a tetrahydrocannabinol level of no more than three
26 percent.

27 2. "*Department*" means the department of public
28 health.

29 3. "*Intractable epilepsy*" means an epileptic seizure
30 disorder for which standard medical treatment does
31 not prevent or significantly ameliorate recurring,
32 uncontrolled seizures or for which standard medical
33 treatment results in harmful side effects.

34 4. "*Neurologist*" means an allopathic or osteopathic
35 physician board-certified in neurology in good standing
36 and licensed under chapter 148.

37 5. "*Primary caregiver*" means a person, at least
38 eighteen years of age, who has been designated by a
39 patient's neurologist or a person having custody of a
40 patient, as being necessary to take responsibility for
41 managing the well-being of the patient with respect
42 to the medical use of cannabidiol pursuant to the
43 provisions of this chapter.

44 Sec. 4. NEW SECTION. 124D.3 Neurologist
45 recommendation — medical use of cannabidiol.

46 A neurologist who has examined and treated a patient
47 suffering from intractable epilepsy may provide but
48 has no duty to provide a written recommendation for
49 the patient's medical use of cannabidiol to treat or
50 alleviate symptoms of intractable epilepsy if no other

SF2360.4504.H (2) 85

-1-

md

1/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 satisfactory alternative treatment options exist for
2 the patient and all of the following conditions apply:

3 1. The patient is a permanent resident of this
4 state.

5 2. A neurologist has treated the patient for
6 intractable epilepsy for at least six months. For
7 purposes of this treatment period, and notwithstanding
8 section 124D.2, subsection 4, treatment provided by a
9 neurologist may include treatment by an out-of-state
10 licensed neurologist in good standing.

11 3. The neurologist has tried alternative treatment
12 options that have not alleviated the patient's
13 symptoms.

14 4. The neurologist determines the risks of
15 recommending the medical use of cannabidiol are
16 reasonable in light of the potential benefit for the
17 patient.

18 5. The neurologist maintains a patient treatment
19 plan.

20 Sec. 5. NEW SECTION. 124D.4 Cannabidiol
21 registration card.

22 1. *Issuance to patient.* The department may approve
23 the issuance of a cannabidiol registration card by the
24 department of transportation to a patient who:

25 a. Is at least eighteen years of age.

26 b. Is a permanent resident of this state.

27 c. Requests the patient's neurologist to submit
28 a written recommendation to the department signed by
29 the neurologist that the patient may benefit from the
30 medical use of cannabidiol pursuant to section 124D.3.

31 d. Submits an application to the department, on a
32 form created by the department, in consultation with
33 the department of transportation, that contains all of
34 the following:

35 (1) The patient's full name, Iowa residence
36 address, date of birth, and telephone number.

37 (2) A copy of the patient's valid photo
38 identification.

39 (3) Full name, address, and telephone number of the
40 patient's neurologist.

41 (4) Full name, residence address, date of birth,
42 and telephone number of each primary caregiver of the
43 patient, if any.

44 (5) Any other information required by rule.

45 2. *Patient card contents.* A cannabidiol
46 registration card issued to a patient by the department
47 of transportation pursuant to subsection 1 shall
48 contain, at a minimum, all of the following:

49 a. The patient's full name, Iowa residence address,
50 and date of birth.

SF2360.4504.H (2) 85

-2-

md

2/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 *b.* The patient's photo.
2 *c.* The date of issuance and expiration date of the
3 registration card.
4 *d.* Any other information required by rule.
5 3. *Issuance to primary caregiver.* For a patient in
6 a primary caregiver's care, the department may approve
7 the issuance of a cannabidiol registration card by the
8 department of transportation to the primary caregiver
9 who:
10 *a.* Is at least eighteen years of age.
11 *b.* Requests a patient's neurologist to submit a
12 written recommendation to the department signed by the
13 neurologist that a patient in the primary caregiver's
14 care may benefit from the medical use of cannabidiol
15 pursuant to section 124D.3.
16 *c.* Submits an application to the department, on a
17 form created by the department, in consultation with
18 the department of transportation, that contains all of
19 the following:
20 (1) The primary caregiver's full name, residence
21 address, date of birth, and telephone number.
22 (2) The patient's full name.
23 (3) A copy of the primary caregiver's valid photo
24 identification.
25 (4) Full name, address, and telephone number of the
26 patient's neurologist.
27 (5) Any other information required by rule.
28 4. *Primary caregiver card contents.* A cannabidiol
29 registration card issued by the department of
30 transportation to a primary caregiver pursuant to
31 subsection 3 shall contain, at a minimum, all of the
32 following:
33 *a.* The primary caregiver's full name, residence
34 address, and date of birth.
35 *b.* The primary caregiver's photo.
36 *c.* The date of issuance and expiration date of the
37 registration card.
38 *d.* The full name of each patient in the primary
39 caregiver's care.
40 *e.* Any other information required by rule.
41 5. *Expiration date of card.* A cannabidiol
42 registration card issued pursuant to this section shall
43 expire one year after the date of issuance and may be
44 renewed.
45 6. *Card issuance — department of transportation.*
46 The department may enter into a chapter 28E agreement
47 with the department of transportation to facilitate the
48 issuance of a cannabidiol registration card pursuant to
49 subsections 1 and 3.
50 Sec. 6. NEW SECTION. 124D.5 Department duties —

SF2360.4504.H (2) 85

-3-

md

3/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 rules.

2 1. a. The department shall maintain a confidential
3 file of the names of each patient to or for whom the
4 department issues a cannabidiol registration card
5 and the name of each primary caregiver to whom the
6 department issues a cannabidiol registration card under
7 section 124D.4.

8 b. Individual names contained in the file shall be
9 confidential and shall not be subject to disclosure,
10 except as provided in subparagraph (1).

11 (1) Information in the confidential file maintained
12 pursuant to paragraph "a" may be released to the
13 following persons under the following circumstances:

14 (a) To authorized employees or agents of the
15 department and the department of transportation as
16 necessary to perform the duties of the department and
17 the department of transportation pursuant to this
18 chapter.

19 (b) To authorized employees of state or local
20 law enforcement agencies, but only for the purpose of
21 verifying that a person is lawfully in possession of a
22 cannabidiol registration card issued pursuant to this
23 chapter.

24 (2) Release of information pursuant to subparagraph
25 (1) shall be consistent with the federal Health
26 Insurance Portability and Accountability Act of 1996,
27 Pub. L. No. 104-191.

28 2. The department, in consultation with the
29 department of transportation, shall adopt rules to
30 administer this chapter which shall include but not
31 be limited to rules to establish the manner in which
32 the department shall consider applications for new and
33 renewal cannabidiol registration cards.

34 Sec. 7. **NEW SECTION. 124D.6 Medical use of**
35 **cannabidiol — affirmative defense.**

36 1. a. A recommendation for the possession or use
37 of cannabidiol as authorized by this chapter shall be
38 provided exclusively by a neurologist for a patient who
39 has been diagnosed with intractable epilepsy.

40 b. Cannabidiol provided exclusively pursuant to the
41 recommendation of a neurologist shall be obtained from
42 an out-of-state source and shall only be recommended
43 for oral or transdermal administration.

44 c. A neurologist shall be the sole authorized
45 recommender as part of the treatment plan by the
46 neurologist of a patient diagnosed with intractable
47 epilepsy. A neurologist shall have the sole authority
48 to recommend the use or amount of cannabidiol, if any,
49 in the treatment plan of a patient diagnosed with
50 intractable epilepsy.

SF2360.4504.H (2) 85

-4-

md

4/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 2. A neurologist, including any authorized agent
2 thereof, shall not be subject to prosecution for the
3 unlawful recommendation, possession, or administration
4 of marijuana under the laws of this state for
5 activities arising directly out of or directly related
6 to the recommendation or use of cannabidiol in the
7 treatment of a patient diagnosed with intractable
8 epilepsy.

9 3. *a.* In a prosecution for the unlawful possession
10 of marijuana under the laws of this state, including
11 but not limited to chapters 124 and 453B, it is an
12 affirmative and complete defense to the prosecution
13 that the patient has been diagnosed with intractable
14 epilepsy, used or possessed cannabidiol pursuant to a
15 recommendation by a neurologist as authorized under
16 this chapter, and, for a patient eighteen years of
17 age or older, is in possession of a valid cannabidiol
18 registration card.

19 *b.* In a prosecution for the unlawful possession
20 of marijuana under the laws of this state, including
21 but not limited to chapters 124 and 453B, it is an
22 affirmative and complete defense to the prosecution
23 that the person possessed cannabidiol because the
24 person is a primary caregiver of a patient who has
25 been diagnosed with intractable epilepsy and is in
26 possession of a valid cannabidiol registration card,
27 and where the primary caregiver's possession of the
28 cannabidiol is on behalf of the patient and for the
29 patient's use only as authorized under this chapter.

30 *c.* (1) The defenses afforded a patient under
31 paragraph "a" apply to a patient only if the quantity
32 of cannabidiol oil possessed by the patient does not
33 exceed thirty-two ounces.

34 (2) The defenses afforded a primary caregiver
35 under paragraph "b" apply to a primary caregiver only
36 if the quantity of cannabidiol oil possessed by the
37 primary caregiver does not exceed thirty-two ounces per
38 patient.

39 *d.* If a patient or primary caregiver is charged
40 with the commission of a crime and is not in possession
41 of the person's cannabidiol registration card, any
42 charge or charges filed against the person shall be
43 dismissed by the court if the person produces to the
44 court at the person's trial a cannabidiol registration
45 card issued to that person and valid at the time the
46 person was charged.

47 4. An agency of this state or a political
48 subdivision thereof, including any law enforcement
49 agency, shall not remove or initiate proceedings
50 to remove a patient under the age of eighteen from

SF2360.4504.H (2) 85

-5-

md

5/6



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 the home of a parent based solely upon the parent's
2 or patient's possession or use of cannabidiol as
3 authorized under this chapter.

4 Sec. 8. NEW SECTION. 124D.7 Penalties.

5 A person who knowingly or intentionally possesses or
6 uses cannabidiol in violation of the requirements of
7 this chapter is subject to the penalties provided under
8 chapters 124 and 453B.

9 Sec. 9. NEW SECTION. 124D.8 Repeal.

10 This chapter is repealed July 1, 2017.

11 Sec. 10. REPORTS. The university of Iowa carver
12 college of medicine and college of pharmacy shall, on
13 or before July 1 of each year, beginning July 1, 2015,
14 submit a report detailing the scientific literature,
15 studies, and clinical trials regarding the use of
16 cannabidiol on patients diagnosed with intractable
17 epilepsy to the department of public health and the
18 general assembly.>

19 2. Title page, by striking line 2 and inserting
20 <penalties.>



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

House Amendment to
Senate Amendment to
House File 2473

S-5209

1 Amend House File 2473, as amended, passed, and
2 reprinted by the House, as follows:
3 1. By striking everything after the enacting clause
4 and inserting:

5 <DIVISION I

6 STANDING APPROPRIATIONS AND RELATED MATTERS

7 Section 1. 2013 Iowa Acts, chapter 140, is amended
8 by adding the following new section:

9 NEW SECTION. SEC. 1A. BUDGET PROCESS FOR FISCAL
10 YEAR 2015-2016.

11 1. For the budget process applicable to the fiscal
12 year beginning July 1, 2015, on or before October 1,
13 2014, in lieu of the information specified in section
14 8.23, subsection 1, unnumbered paragraph 1, and
15 paragraph "a", all departments and establishments of
16 the government shall transmit to the director of the
17 department of management, on blanks to be furnished
18 by the director, estimates of their expenditure
19 requirements, including every proposed expenditure, for
20 the ensuing fiscal year, together with supporting data
21 and explanations as called for by the director of the
22 department of management after consultation with the
23 legislative services agency.

24 2. The estimates of expenditure requirements
25 shall be in a form specified by the director of
26 the department of management, and the expenditure
27 requirements shall include all proposed expenditures
28 and shall be prioritized by program or the results to
29 be achieved. The estimates shall be accompanied by
30 performance measures for evaluating the effectiveness
31 of the programs or results.

32 Sec. 2. 2013 Iowa Acts, chapter 140, is amended by
33 adding the following new section:

34 NEW SECTION. SEC. 3A. GENERAL ASSEMBLY.

35 1. The appropriations made pursuant to section
36 2.12 for the expenses of the general assembly and
37 legislative agencies for the fiscal year beginning July
38 1, 2014, and ending June 30, 2015, are reduced by the
39 following amount:

40 \$ 3,000,000

41 2. The budgeted amounts for the general assembly
42 for the fiscal year beginning July 1, 2014, may be
43 adjusted to reflect unexpended budgeted amounts from
44 the previous fiscal year.

45 Sec. 3. 2013 Iowa Acts, chapter 140, section 6, is
46 amended to read as follows:

47 SEC. 6. LIMITATIONS OF STANDING APPROPRIATIONS

48 — FY 2014-2015. Notwithstanding the standing
49 appropriations in the following designated sections for
50 the fiscal year beginning July 1, 2014, and ending June

H8387.4505.H (3) 85

-1-

md

1/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 30, 2015, the amounts appropriated from the general
2 fund of the state pursuant to these sections for the
3 following designated purposes shall not exceed the
4 following amounts:
5 1. For operational support grants and community
6 cultural grants under section 99F.11, subsection 3,
7 paragraph "d", subparagraph (1):
8 \$ 208,351
9 416,702
10 2. ~~For regional tourism marketing under section~~
11 ~~99F.11, subsection 3, paragraph "d", subparagraph (2):~~
12 ~~..... \$ 582,000~~
13 3. For payment for nonpublic school transportation
14 under section 285.2:
15 \$ 8,560,931
16 If total approved claims for reimbursement for
17 nonpublic school pupil transportation exceed the amount
18 appropriated in accordance with this subsection, the
19 department of education shall prorate the amount of
20 each approved claim.
21 4. For the enforcement of chapter 453D relating to
22 tobacco product manufacturers under section 453D.8:
23 \$ 9,208
24 18,416
25 Sec. 4. Section 257.35, Code 2014, is amended by
26 adding the following new subsection:
27 NEW SUBSECTION. 8A. Notwithstanding subsection 1,
28 and in addition to the reduction applicable pursuant
29 to subsection 2, the state aid for area education
30 agencies and the portion of the combined district cost
31 calculated for these agencies for the fiscal year
32 beginning July 1, 2014, and ending June 30, 2015, shall
33 be reduced by the department of management by fifteen
34 million dollars. The reduction for each area education
35 agency shall be prorated based on the reduction that
36 the agency received in the fiscal year beginning July
37 1, 2003.
38 DIVISION II
39 CLAIMS AGAINST THE STATE AND BY THE STATE
40 Sec. 5. Section 8.55, subsection 3, paragraph a,
41 Code 2014, is amended to read as follows:
42 a. Except as provided in paragraphs "b", "c",
43 and "d", and "0e", the moneys in the Iowa economic
44 emergency fund shall only be used pursuant to an
45 appropriation made by the general assembly. An
46 appropriation shall only be made for the fiscal year in
47 which the appropriation is made. The moneys shall only
48 be appropriated by the general assembly for emergency
49 expenditures.
50 Sec. 6. Section 8.55, subsection 3, Code 2014, is

H8387.4505.H (3) 85

-2-

md

2/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 amended by adding the following new paragraph:

2 NEW PARAGRAPH. 0e. There is appropriated from the
3 Iowa economic emergency fund to the state appeal board
4 an amount sufficient to pay claims authorized by the
5 state appeal board as provided in section 25.2.

6 Sec. 7. Section 25.2, subsection 4, Code 2014, is
7 amended to read as follows:

8 4. Payments authorized by the state appeal board
9 shall be paid from the appropriation or fund of
10 original certification of the claim. However, if that
11 appropriation or fund has since reverted under section
12 8.33, then such payment authorized by the state appeal
13 board shall be ~~out of any money in the state treasury~~
14 ~~not otherwise appropriated~~ as follows:

15 a. From the appropriation made from the Iowa
16 economic emergency fund in section 8.55 for purposes of
17 paying such expenses.

18 b. To the extent the appropriation from the
19 Iowa economic emergency fund described in paragraph
20 "a" is insufficient to pay such expenses, there is
21 appropriated from moneys in the general fund of the
22 state not otherwise appropriated the amount necessary
23 to fund the deficiency.

24 DIVISION III

25 MISCELLANEOUS PROVISIONS AND APPROPRIATIONS

26 Sec. 8. AIR QUALITY PROGRAM. Notwithstanding the
27 purposes provided in section 455E.11, subsection 2,
28 paragraph "c", there is appropriated from the household
29 hazardous waste account of the groundwater protection
30 fund to the department of natural resources for the
31 fiscal year beginning July 1, 2014, and ending June 30,
32 2015, the following amount, or so much thereof as is
33 necessary, to be used for the purposes designated:

34 For supporting the department's air quality
35 programs, including salaries, support, maintenance, and
36 miscellaneous purposes:

37 \$ 1,400,000

38 Sec. 9. FOOD SECURITY FOR OLDER INDIVIDUALS. There
39 is appropriated from the general fund of the state to
40 the department on aging for the fiscal year beginning
41 July 1, 2014, and ending June 30, 2015, the following
42 amount, or so much thereof as is necessary, to be used
43 for the purposes designated:

44 To award to each area agency on aging designated
45 under section 231.32 in the proportion that the
46 estimated amount of older individuals in Iowa served by
47 that area agency on aging bears to the total estimated
48 amount of older individuals in Iowa, to be used to
49 provide congregate meals and home-delivered meals to
50 food-insecure older individuals in Iowa:

H8387.4505.H (3) 85

-3-

md

3/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 \$ 250,000
2 Sec. 10. AIR QUALITY STAKEHOLDER GROUP. The
3 director of the department of natural resources shall
4 convene a stakeholder group for purposes of studying
5 the funding of air quality programs administered by
6 the department. By December 1, 2014, the department
7 shall submit a written report to the general assembly
8 regarding the findings and recommendations of the
9 stakeholder group.
10 Sec. 11. PERSONNEL SETTLEMENT AGREEMENT
11 PAYMENTS. The general assembly and the judicial branch
12 shall not enter into a personnel settlement agreement
13 with a state employee that contains a confidentiality
14 provision intended to prevent public disclosure of the
15 agreement or any terms of the agreement.
16 Sec. 12. Section 8.9, subsection 2, paragraph a,
17 Code 2014, is amended to read as follows:
18 a. All grant applications submitted and grant
19 moneys received by a department on behalf of the state
20 shall be reported to the office of grants enterprise
21 management. The office shall by ~~January 31~~ December
22 1 of each year submit to the fiscal services division
23 of the legislative services agency a written report
24 listing all grants received during the ~~previous~~
25 ~~calendar~~ most recently completed federal fiscal year
26 with a value over one thousand dollars and the funding
27 entity and purpose for each grant. However, the
28 reports on grants filed by the state board of regents
29 pursuant to section 8.44 shall be deemed sufficient to
30 comply with the requirements of this subsection. In
31 addition, each department shall submit and the office
32 shall report, as applicable, for each grant applied
33 for or received and other federal moneys received
34 the expected duration of the grant or the other
35 moneys, maintenance of effort or other matching fund
36 requirements throughout and following the period of the
37 grant or the other moneys, the sources of the federal
38 funding and any match funding, any policy, program, or
39 operational requirement associated with receipt of the
40 funding, a status report on changes anticipated in the
41 federal requirements associated with the grant or other
42 federal funding during the fiscal year in progress and
43 the succeeding fiscal year, and any other information
44 concerning the grant or other federal funding that
45 would be helpful in the development of policy or
46 budget decisions. The fiscal services division of
47 the legislative services agency shall compile the
48 information received for consideration by the standing
49 joint appropriations subcommittees of the general
50 assembly.

H8387.4505.H (3) 85

-4-

md

4/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 Sec. 13. Section 68B.3, Code 2014, is amended by
2 adding the following new subsection:
3 NEW SUBSECTION. 2A. This section does not apply to
4 sales of services by a member of a board or commission
5 as defined under section 7E.4 to state executive branch
6 agencies or subunits of departments or independent
7 agencies as defined in section 7E.4 that are not the
8 subunit of the department or independent agency in
9 which the person serves or are not a subunit of a
10 department or independent agency with which the person
11 has substantial and regular contact as part of the
12 person's duties.
13 Sec. 14. Section 97B.52A, subsection 1, paragraph
14 c, subparagraph (2), subparagraph division (b), Code
15 2014, is amended to read as follows:
16 (b) For a member whose first month of entitlement
17 is July 2004 or later, but before July ~~2014~~ 2016,
18 covered employment does not include employment as a
19 licensed health care professional by a public hospital.
20 For the purposes of this subparagraph, "public
21 hospital" means a hospital licensed pursuant to chapter
22 135B and governed pursuant to chapter 145A, 347, 347A,
23 or 392.
24 Sec. 15. Section 602.1302, subsection 3, Code 2014,
25 is amended to read as follows:
26 3. A revolving fund is created in the state
27 treasury for the payment of jury and witness fees,
28 mileage, costs related to summoning jurors by the
29 judicial branch, costs and fees related to the
30 management and payment of interpreters and translators
31 in judicial branch legal proceedings and court-ordered
32 programs, and attorney fees paid by the state public
33 defender for counsel appointed pursuant to section
34 600A.6A. The judicial branch shall deposit any
35 reimbursements to the state for the payment of jury
36 and witness fees and mileage in the revolving fund.
37 In each calendar quarter the judicial branch shall
38 reimburse the state public defender for attorney fees
39 paid pursuant to section 600A.6B. Notwithstanding
40 section 8.33, unencumbered and unobligated receipts in
41 the revolving fund at the end of a fiscal year do not
42 revert to the general fund of the state. The judicial
43 branch shall on or before February 1 file a financial
44 accounting of the moneys in the revolving fund with
45 the legislative services agency. The accounting shall
46 include an estimate of disbursements from the revolving
47 fund for the remainder of the fiscal year and for the
48 next fiscal year.
49 Sec. 16. 2013 Iowa Acts, chapter 138, section 157,
50 subsection 5A, if enacted by 2014 Iowa Acts, House File

H8387.4505.H (3) 85

-5-

md

5/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 2463, is amended by striking the subsection.

2 DIVISION IV

3 CORRECTIVE PROVISIONS

4 Sec. 17. Section 15.353, subsection 1, paragraph c,
5 subparagraph (2), if enacted by 2014 Iowa Acts, House
6 File 2448, is amended to read as follows:

7 (2) The average dwelling unit cost does not exceed
8 two hundred fifty thousand dollars per dwelling unit
9 if the project involves the rehabilitation, repair,
10 redevelopment, or preservation of ~~eligible property,~~
11 ~~as that term is defined in section 404A.1, subsection~~
12 ~~2 property described in section 404A.1, subsection 7,~~
13 ~~paragraph "a".~~

14 Sec. 18. Section 15J.4, subsection 1, paragraph b,
15 as amended by 2014 Iowa Acts, House File 2448, section
16 34, if enacted, is amended to read as follows:

17 b. The area was in whole or in part a designated
18 economic development enterprise zone under chapter
19 15E, division XVIII, Code 2014, immediately prior to
20 the effective date of this division of this Act, or
21 the area is in whole or in part an urban renewal area
22 established pursuant to chapter 403.

23 Sec. 19. Section 123.47, subsection 1A, paragraph
24 c, subparagraph (2), as enacted by 2014 Iowa Acts,
25 Senate File 2310, section 1, is amended to read as
26 follows:

27 (2) A person under legal age who consumes or
28 possesses any alcoholic liquor, wine, or beer in
29 connection with a religious observance, ceremony, or
30 ~~right rite.~~

31 Sec. 20. Section 331.552, subsection 35, as amended
32 by 2014 Iowa Acts, House File 2273, section 5, if
33 enacted, is amended to read as follows:

34 35. a. Destroy special assessment records required
35 by section 445.11 within the county system after ten
36 years have elapsed from the end of the fiscal year in
37 which the special assessment was paid in full. The
38 county treasurer shall also destroy the resolution of
39 necessity, plat, and schedule of assessments required
40 by section 384.51 after ten years have elapsed from the
41 end of the fiscal year in which the entire schedule was
42 paid in full. ~~This subsection paragraph applies to~~
43 ~~documents described in this subsection paragraph that~~
44 ~~are in existence before, on, or after July 1, 2003.~~

45 b. Destroy assessment records required by chapter
46 468 within the county system after ten years have
47 elapsed from the end of the fiscal year in which the
48 assessment was paid in full. The county treasurer
49 shall also destroy the accompanying documents including
50 any resolutions, plats, or schedule of assessments

H8387.4505.H (3) 85

-6-

md

6/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 after ten years have elapsed from the end of the
2 fiscal year in which the entire schedule was paid in
3 full. This ~~subsection~~ paragraph applies to documents
4 described in this ~~subsection~~ paragraph that are in
5 existence before, on, or after July 1, 2014.
6 Sec. 21. Section 422.33, subsection 4, paragraph c,
7 Code 2014, as amended by 2014 Iowa Acts, Senate File
8 2240, section 87, and redesignated as paragraph b,
9 subparagraph (3), is amended to read as follows:
10 (3) Subtract an exemption amount of forty thousand
11 dollars. This exemption amount shall be reduced, but
12 not below zero, by an amount equal to twenty-five
13 percent of the amount by which the alternative minimum
14 taxable income of the taxpayer, computed without regard
15 to the exemption amount in this ~~paragraph~~ subparagraph,
16 exceeds one hundred fifty thousand dollars.
17 Sec. 22. Section 425.15, subsection 1, paragraph a,
18 as enacted by 2014 Iowa Acts, Senate File 2352, section
19 1, is amended to read as follows:
20 a. A veteran of any of the military forces of the
21 United States, who acquired the homestead under 38
22 U.S.C. §21.801, 21.802, prior to August 6, 1991, or
23 under 38 U.S.C. §2101, 2102.
24 Sec. 23. Section 508.36, subsection 13, paragraph
25 d, subparagraph (1), subparagraph division (c), as
26 enacted by 2014 Iowa Acts, Senate File 2131, section 9,
27 is amended to read as follows:
28 (c) Minimum reserves for all other policies ~~of~~ or
29 contracts subject to subsection 1, paragraph "b".
30 Sec. 24. Section 508.36, subsection 16, paragraph
31 c, subparagraph (3), as enacted by 2014 Iowa Acts,
32 Senate File 2131, section 9, is amended to read as
33 follows:
34 (3) Once any portion of a memorandum in support
35 of an opinion submitted under subsection 2 or a
36 principle-based valuation report developed under
37 subsection 14, paragraph "b", subparagraph (3), is
38 cited by a company in its marketing or is publicly
39 volunteered to or before a governmental agency other
40 than a state insurance department or is released by
41 the company to the news media, all portions ~~of~~ of such
42 memorandum or report shall no longer be confidential
43 information.
44 Sec. 25. Section 508.37, subsection 6, paragraph h,
45 subparagraph (8), as enacted by 2014 Iowa Acts, Senate
46 File 2131, section 13, is amended to read as follows:
47 (8) For policies issued on or after the operative
48 date of the valuation manual, the valuation manual
49 shall provide the Commissioners Standard Mortality
50 Table for use in determining the minimum nonforfeiture

H8387.4505.H (3) 85

-7-

md

7/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 standard that may be substituted for the Commissioners
2 1961 Standard Industrial Mortality Table or the
3 Commissioners 1961 Industrial Extended Term Insurance
4 Table. If the commissioner approves by ~~regulation~~
5 rule any Commissioners Standard Industrial Mortality
6 Table adopted by the national association of insurance
7 commissioners for use in determining the minimum
8 nonforfeiture standard for policies issued on or after
9 the operative date of the valuation manual, then that
10 minimum nonforfeiture standard supersedes the minimum
11 nonforfeiture standard provided by the valuation
12 manual.

13 Sec. 26. Section 537.1301, subsection 46, as
14 enacted by 2014 Iowa Acts, House File 2324, section 17,
15 is amended to read as follows:

16 46. "*Threshold amount*" means the threshold amount,
17 as determined by 12 C.F.R. ~~\$226.3(b)~~ \$1026.3(b),
18 in effect during the period the consumer credit
19 transaction was entered into.

20 Sec. 27. 2014 Iowa Acts, Senate File 2257, section
21 15, is amended by striking the section and inserting in
22 lieu thereof the following:

23 SEC. 15. REPEAL. Sections 261.17A, 261.22, 261.39,
24 261.41, 261.44, 261.48, 261.54, 261.81A, and 261.82,
25 Code 2014, are repealed.

26 Sec. 28. REPEAL. 2014 Iowa Acts, House File 2423,
27 section 159, is repealed.

28 Sec. 29. CONTINGENT EFFECTIVENESS. The section
29 of this division of this Act amending section 15.353,
30 subsection 1, paragraph "*c*", subparagraph (2), takes
31 effect only if 2014 Iowa Acts, House File 2453, is
32 enacted.

33 DIVISION V

34 GENERAL ASSEMBLY PUBLICATIONS PROVISIONS

35 Sec. 30. Section 2.42, subsection 13, Code 2014, is
36 amended to read as follows:

37 13. To establish policies with regard to publishing
38 printed and electronic versions of legal publications
39 as provided in chapters 2A and 2B, including the Iowa
40 Acts, Iowa Code, ~~Code Supplement~~, Iowa administrative
41 bulletin, Iowa administrative code, and Iowa court
42 rules, or any part of those publications. The
43 publishing policies may include, but are not limited
44 to: the style and format to be used; the frequency
45 of publication; the contents of the publications;
46 the numbering systems to be used; the preparation of
47 editorial comments or notations; the correction of
48 errors; the type of print or electronic media and
49 data processing software to be used; the number of
50 volumes to be published; recommended revisions; the

H8387.4505.H (3) 85

-8-

md

8/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 letting of contracts for publication; the pricing of
2 the publications to which section 22.3 does not apply;
3 access to, and the use, reproduction, legal protection,
4 sale or distribution, and pricing of related data
5 processing software consistent with chapter 22; and any
6 other matters deemed necessary to the publication of
7 uniform and understandable publications.

8 Sec. 31. Section 2A.1, subsection 2, paragraph d,
9 unnumbered paragraph 1, Code 2014, is amended to read
10 as follows:

11 Publication of the official legal publications
12 of the state, including but not limited to the Iowa
13 Acts, Iowa Code, ~~Code Supplement~~, Iowa administrative
14 bulletin, Iowa administrative code, and Iowa court
15 rules as provided in chapter 2B. The legislative
16 services agency shall do all of the following:

17 Sec. 32. Section 2A.5, subsection 2, paragraph b,
18 Code 2014, is amended by striking the paragraph.

19 Sec. 33. Section 2A.5, Code 2014, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 2A. The legislative services
22 agency shall publish annually an electronic or printed
23 version of the roster of state officials. The roster
24 of state officials shall include a correct list of
25 state officers and deputies; members of boards and
26 commissions; justices of the supreme court, judges
27 of the court of appeals, and judges of the district
28 courts including district associate judges and judicial
29 magistrates; and members of the general assembly.
30 The office of the governor shall cooperate in the
31 preparation of the list.

32 Sec. 34. Section 2B.5, subsection 3, Code 2014, is
33 amended by striking the subsection.

34 Sec. 35. Section 2B.5A, subsection 2, Code 2014, is
35 amended to read as follows:

36 2. In consultation with the administrative rules
37 coordinator, the administrative code editor shall
38 prescribe a uniform style and form required for a
39 person filing a document for publication in the Iowa
40 administrative bulletin or the Iowa administrative
41 code, including but not limited to a rulemaking
42 document. A rulemaking document includes a notice
43 of intended action as provided in section 17A.4 or
44 an adopted rule for filing as provided in section
45 17A.5. The rulemaking document shall correlate each
46 rule to the uniform numbering system established by
47 the administrative code editor. The administrative
48 code editor shall provide for the publication of
49 an electronic publication version of the Iowa
50 administrative bulletin and the Iowa administrative

H8387.4505.H (3) 85

-9-

md

9/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 code. The administrative code editor shall review
2 all submitted documents for style and form and notify
3 the administrative rules coordinator if a rulemaking
4 document is not in proper style or form, and may return
5 or revise a document which is not in proper style and
6 form. The style and form prescribed shall require
7 that a rulemaking document include a reference to the
8 statute which the rules are intended to implement.
9 Sec. 36. Section 2B.5A, subsection 6, paragraph a,
10 subparagraph (2), subparagraph division (b), Code 2014,
11 is amended to read as follows:
12 (b) A print ~~edition~~ version may include an index.
13 Sec. 37. Section 2B.5B, subsection 2, Code 2014, is
14 amended to read as follows:
15 2. The administrative code editor, upon direction
16 by the Iowa supreme court and in accordance with the
17 policies of the legislative council pursuant to section
18 2.42 and the legislative services agency pursuant
19 to section 2A.1, shall prescribe a uniform style and
20 form required for filing a document for publication in
21 the Iowa court rules. The document shall correlate
22 each rule to the uniform numbering system. The
23 administrative code editor shall provide for the
24 publication of an electronic publication version of
25 the Iowa court rules. The administrative code editor
26 shall review all submitted documents for style and
27 form and notify the Iowa supreme court if a rulemaking
28 document is not in proper style or form, and may return
29 or revise a document which is not in proper style and
30 form.
31 Sec. 38. Section 2B.5B, subsection 3, paragraph b,
32 subparagraph (2), subparagraph division (b), Code 2014,
33 is amended to read as follows:
34 (b) A print version ~~shall~~ may include an index.
35 Sec. 39. Section 2B.6, subsection 2, paragraph b,
36 Code 2014, is amended to read as follows:
37 b. The Iowa Code ~~or Code Supplement~~, as provided in
38 section 2B.12.
39 Sec. 40. Section 2B.12, Code 2014, is amended to
40 read as follows:
41 **2B.12 Iowa Code and Code Supplement.**
42 1. The legislative services agency shall control
43 and maintain in a secure electronic repository
44 custodial information used to publish the Iowa Code.
45 2. The legislative services agency shall publish
46 an annual edition of the Iowa Code as soon as
47 possible after the final adjournment of a regular
48 or special session of a general assembly. ~~However,~~
49 ~~the legislative services agency may publish a new~~
50 ~~Code Supplement in lieu of the Iowa Code as soon as~~

H8387.4505.H (3) 85

-10-

md

10/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 ~~possible after the final adjournment of a regular~~
2 ~~session of a general assembly. The legislative~~
3 ~~services agency may publish a new edition of the Iowa~~
4 ~~Code or Code Supplement as soon as possible after the~~
5 ~~final adjournment of a special session of the general~~
6 ~~assembly.~~
7 3. An edition of the Iowa Code ~~or Code Supplement~~
8 shall contain each Code section in its new or amended
9 form. However, a new section or amendment which does
10 not take effect until after the probable publication
11 date of a succeeding Iowa Code ~~or Code Supplement~~
12 may be deferred for publication in that succeeding
13 Iowa Code ~~or Code Supplement~~. The sections shall
14 be inserted in each edition in a logical order as
15 determined by the Iowa Code editor in accordance with
16 the policies of the legislative council.
17 4. Each section of an Iowa Code ~~or Code Supplement~~
18 shall be indicated by a number printed in boldface
19 type and shall have an appropriate headnote printed in
20 boldface type.
21 5. The Iowa Code shall include all of the
22 following:
23 a. The Declaration of Independence.
24 b. The Articles of Confederation.
25 c. The Constitution of the United States.
26 d. The laws of the United States relating to the
27 authentication of records.
28 e. The Constitution of the State of Iowa, original
29 and codified versions.
30 f. The Act admitting Iowa into the union as a
31 state.
32 g. The arrangement of the Code into distinct units,
33 as established by the legislative services agency,
34 which may include titles, subunits of titles, chapters,
35 subunits of chapters, and sections, and subunits of
36 sections. The distinct units shall be numbered and may
37 include names.
38 h. All of the statutes of Iowa of a general and
39 permanent nature, except as provided in subsection 3.
40 i. A comprehensive method to search and identify
41 its contents, including the text of the Constitution
42 and statutes of the State of Iowa.
43 (1) An electronic version may include search and
44 retrieval programming, analysis of titles and chapters,
45 and an index and a summary index.
46 (2) A print version shall include an analysis of
47 titles and chapters, and may include an index and a
48 summary index.
49 6. The Iowa Code may include all of the following:
50 a. A preface.

H8387.4505.H (3) 85

-11-

md

11/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 *b.* A description of citations to statutes.
2 *c.* Abbreviations to other publications which may be
3 referred to in the Iowa Code.
4 *d.* Appropriate historical references or source
5 notes.
6 *e.* An analysis of the Code by titles and chapters.
7 *f.* Other reference materials as determined by the
8 Iowa Code editor in accordance with any policies of the
9 legislative council.
10 ~~7. A Code Supplement shall include all of the~~
11 ~~following:~~
12 ~~*a.* The text of statutes of Iowa of a general~~
13 ~~and permanent nature that were enacted during the~~
14 ~~preceding regular or special session, except as~~
15 ~~provided in subsection 3, an indication of all sections~~
16 ~~repealed during that session, and any amendments to~~
17 ~~the Constitution of the State of Iowa approved by the~~
18 ~~voters since the adjournment of the previous regular~~
19 ~~session of the general assembly.~~
20 ~~*b.* A chapter title and number for each chapter or~~
21 ~~part of a chapter included.~~
22 ~~*c.* A comprehensive method to search and identify~~
23 ~~its contents, including the text of statutes and the~~
24 ~~Constitution of the State of Iowa.~~
25 ~~(1) An electronic version may include search and~~
26 ~~retrieval programming and an index and a summary index.~~
27 ~~(2) A print version may include an index and a~~
28 ~~summary index.~~
29 ~~8. 7. The Iowa Code or Code Supplement may include~~
30 ~~appropriate tables showing the disposition of Acts of~~
31 ~~the general assembly, the corresponding sections from~~
32 ~~edition to edition of an Iowa Code or Code Supplement,~~
33 ~~and other reference material as determined by the~~
34 ~~Iowa Code editor in accordance with policies of the~~
35 ~~legislative council.~~
36 ~~8. In lieu of or in addition to publishing an~~
37 ~~annual edition of the Iowa Code, the legislative~~
38 ~~services agency, in accordance with the policies of~~
39 ~~the legislative council, may publish a supplement to~~
40 ~~the Iowa Code, as necessary or desirable, in a manner~~
41 ~~similar to the publication of an annual edition of the~~
42 ~~Iowa Code.~~
43 ~~Sec. 41. Section 2B.13, subsection 1, unnumbered~~
44 ~~paragraph 1, Code 2014, is amended to read as follows:~~
45 ~~The Iowa Code editor in preparing the copy for an~~
46 ~~edition of the Iowa Code or Code Supplement shall not~~
47 ~~alter the sense, meaning, or effect of any Act of the~~
48 ~~general assembly, but may:~~
49 ~~Sec. 42. Section 2B.13, subsection 1, paragraph f,~~
50 ~~Code 2014, is amended to read as follows:~~

H8387.4505.H (3) 85

-12-

md

12/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 *f.* Transfer, divide, or combine sections or parts
2 of sections and add or ~~amend~~ revise headnotes to
3 sections and ~~subsections~~ section subunits. Pursuant to
4 section 3.3, the headnotes are not part of the law.
5 Sec. 43. Section 2B.13, subsection 3, paragraph a,
6 Code 2014, is amended to read as follows:
7 *a.* The Iowa Code editor may, in preparing the copy
8 for an edition of the Iowa Code ~~or Code Supplement~~,
9 establish standards for and change capitalization,
10 spelling, and punctuation in any provision for purposes
11 of uniformity and consistency in language.
12 Sec. 44. Section 2B.13, subsection 4, paragraph a,
13 Code 2014, is amended to read as follows:
14 *a.* The Iowa Code editor shall seek direction
15 from the senate committee on judiciary and the house
16 committee on judiciary when making Iowa Code ~~or Code~~
17 ~~Supplement~~ changes.
18 Sec. 45. Section 2B.13, subsection 5, Code 2014, is
19 amended to read as follows:
20 5. The Iowa Code editor may prepare and publish
21 comments deemed necessary for a proper explanation
22 of the manner of ~~printing~~ publishing a section or
23 chapter of the Iowa Code ~~or Code Supplement~~. The Iowa
24 Code editor shall maintain a record of all of the
25 corrections made under subsection 1. The Iowa Code
26 editor shall also maintain a separate record of the
27 changes made under subsection 1, paragraphs "b" through
28 "h". The records shall be available to the public.
29 Sec. 46. Section 2B.13, subsection 7, paragraph a,
30 Code 2014, is amended to read as follows:
31 *a.* The effective date of an edition of the Iowa
32 Code or of a supplement to the Iowa Code Supplement
33 or an edition of the Iowa administrative code is its
34 publication date. A publication date is the date the
35 publication is conclusively presumed to be complete,
36 incorporating all revisions or editorial changes.
37 Sec. 47. Section 2B.13, subsection 7, paragraph
38 b, subparagraph (1), Code 2014, is amended to read as
39 follows:
40 (1) For the Iowa Code or a supplement to the
41 Iowa Code Supplement, the publication date is the
42 first day of the next regular session of the general
43 assembly convened pursuant to Article III, section 2,
44 of the Constitution of the State of Iowa. However,
45 the legislative services agency may establish an
46 alternative publication date, which may be the date
47 that the publication is first available to the public
48 accessing the general assembly's internet site. The
49 legislative services agency shall provide notice of
50 such an alternative publication date on the general

H8387.4505.H (3) 85

-13-

md

13/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 assembly's internet site.
2 Sec. 48. Section 2B.17, subsection 2, paragraph b,
3 Code 2014, is amended to read as follows:
4 b. For statutes, the official versions of
5 publications shall be known as the Iowa Acts, the Iowa
6 Code, and the Code Supplement for supplements for the
7 years 1979 through 2011.
8 Sec. 49. Section 2B.17, subsection 4, paragraph c,
9 Code 2014, is amended to read as follows:
10 c. The Iowa Code shall be cited as the Iowa
11 Code. ~~The Code Supplement~~ Supplements to the Iowa
12 Code published for the years 1979 through 2011 shall
13 be cited as the Code Supplement. Subject to the
14 legislative services agency style manual, the Iowa Code
15 may be cited as the Code of Iowa or Code and the Code
16 Supplement may be cited as the Iowa Code Supplement,
17 with references identifying parts of the publication,
18 including but not limited to title or chapter, section,
19 or subunit of a section. If the citation refers to a
20 past edition of the Iowa Code or Code Supplement, the
21 citation shall identify the year of publication. The
22 legislative services agency style manual shall provide
23 for a citation form for any supplements to the Iowa
24 Code published after the year 2013.
25 Sec. 50. Section 2B.18, subsection 1, Code 2014, is
26 amended to read as follows:
27 1. The Iowa Code editor is the custodian of the
28 official legal publications known as the Iowa Acts,
29 Iowa Code, and Code Supplement for supplements to the
30 Iowa Code for the years 1979 through 2011, and for any
31 other supplements to the Iowa Code. The Iowa Code
32 editor may attest to and authenticate any portion
33 of such official legal publication for purposes of
34 admitting a portion of the official legal publication
35 in any court or office of any state, territory,
36 or possession of the United States or in a foreign
37 jurisdiction.
38 Sec. 51. Section 3.1, subsection 1, paragraphs a
39 and b, Code 2014, are amended to read as follows:
40 a. Shall refer to the numbers of the sections or
41 chapters of the Code ~~or Code Supplement~~ to be amended
42 or repealed, but it is not necessary to refer to the
43 sections or chapters in the title.
44 b. Shall refer to the session of the general
45 assembly and the sections and chapters of the Acts to
46 be amended if the bill relates to a section or sections
47 of an Act not appearing in the Code ~~or codified in a~~
48 ~~supplement to the Code.~~
49 Sec. 52. Section 3.3, Code 2014, is amended to read
50 as follows:

H8387.4505.H (3) 85

-14-

md

14/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 **3.3 Headnotes and historical references.**

2 1. Proper headnotes may be placed at the beginning
3 of a section of a bill or at the beginning of a Code
4 section, and at the end of a Code section there may
5 be placed a reference to the section number of the
6 Code, or any Iowa Act from which the matter of the Code
7 section was taken or Code section subunit. However,
8 except as provided for the uniform commercial code
9 pursuant to section 554.1107, headnotes shall not be
10 considered as part of the law as enacted.

11 2. At the end of a Code section there may be placed
12 a reference to the section number of the Code, or any
13 Iowa Act from which the matter of the Code section was
14 taken. Historical references shall not be considered
15 as a part of the law as enacted.

16 DIVISION VI
17 SNOWMOBILES

18 Sec. 53. Section 321G.3, subsection 1, Code 2014,
19 is amended to read as follows:

20 1. Each snowmobile used by a resident on public
21 land, public ice, or a designated snowmobile trail
22 of this state shall be currently registered in this
23 state pursuant to section 321G.4. A person resident
24 shall not operate, maintain, or give permission for
25 the operation or maintenance of a snowmobile on public
26 land, public ice, or a designated snowmobile trail
27 unless the snowmobile is registered in accordance with
28 this chapter or applicable federal laws or in accordance
29 with an approved numbering system of another state
30 and the evidence of registration is in full force and
31 effect. A The owner of a snowmobile must also be
32 issued obtain a user permit in accordance with this
33 chapter section 321G.4A.

34 Sec. 54. Section 321G.4, subsections 2 and 4, Code
35 2014, are amended to read as follows:

36 2. The owner of the snowmobile shall file an
37 application for registration with the department
38 through the county recorder of the county of residence,
39 ~~or in the case of a nonresident owner, in the county~~
40 ~~of primary use,~~ in the manner established by the
41 commission. The application shall be completed by the
42 owner and shall be accompanied by a fee of fifteen
43 dollars and a writing fee as provided in section
44 321G.27. A snowmobile shall not be registered by the
45 county recorder until the county recorder is presented
46 with receipts, bills of sale, or other satisfactory
47 evidence that the sales or use tax has been paid for
48 the purchase of the snowmobile or that the owner is
49 exempt from paying the tax. A snowmobile that has an
50 expired registration certificate from another state may

H8387.4505.H (3) 85

-15-

md

15/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 be registered in this state upon proper application,
2 payment of all applicable registration and writing
3 fees, and payment of a penalty of five dollars.
4 4. Notwithstanding subsections 1 and 2, a
5 snowmobile ~~that is more than thirty years old~~
6 manufactured prior to 1984 may be registered as an
7 antique snowmobile for a one-time fee of twenty-five
8 dollars, which shall exempt the owner from annual
9 registration and fee requirements for that snowmobile.
10 However, if ownership of ~~such a~~ an antique snowmobile
11 is transferred, the new owner shall register the
12 snowmobile and pay the one-time fee as required under
13 this subsection. A snowmobile may be registered
14 under this section with only a signed bill of sale as
15 evidence of ownership.
16 Sec. 55. NEW SECTION. 321G.4B Nonresident
17 requirements — penalties.
18 1. A nonresident wishing to operate a snowmobile
19 on public land, public ice, or a designated snowmobile
20 trail of this state shall obtain a user permit in
21 accordance with section 321G.4A. In addition to
22 obtaining a user permit, a nonresident shall display
23 a current registration decal or other evidence of
24 registration or numbering required by the owner's state
25 of residence unless the owner resides in a state that
26 does not register or number snowmobiles.
27 2. A violation of subsection 1 is punishable as a
28 scheduled violation under section 805.8B, subsection
29 2, paragraph "a". When the scheduled fine is paid, the
30 violator shall submit proof to the department that a
31 user permit has been obtained and provide evidence of
32 registration or numbering as required by the owner's
33 state of residence, if applicable, to the department
34 within thirty days of the date the fine is paid. A
35 person who violates this section is guilty of a simple
36 misdemeanor.
37 Sec. 56. Section 321G.20, Code 2014, is amended by
38 striking the section and inserting in lieu thereof the
39 following:
40 321G.20 Operation by persons under sixteen.
41 A person under sixteen years of age shall not
42 operate a snowmobile on a designated snowmobile
43 trail, public land, or public ice unless the operation
44 is under the direct supervision of a parent, legal
45 guardian, or another person of at least eighteen years
46 of age authorized by the parent or guardian, who is
47 experienced in snowmobile operation and who possesses a
48 valid driver's license, as defined in section 321.1, or
49 an education certificate issued under this chapter.
50 Sec. 57. Section 321G.24, subsection 1, Code 2014,

H8387.4505.H (3) 85

-16-

md

16/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 is amended to read as follows:

2 1. A person ~~under eighteen~~ twelve through seventeen
3 years of age shall not operate a snowmobile on public
4 land, public ice, a designated snowmobile trail, or
5 land purchased with snowmobile registration funds
6 in this state without obtaining a ~~valid~~ an education
7 certificate approved by the department and having
8 the certificate in the person's possession, unless
9 the person is accompanied on the same snowmobile by
10 a responsible person of at least eighteen years of
11 age who is experienced in snowmobile operation and
12 possesses a valid driver's license, as defined in
13 section 321.1, or an education certificate issued under
14 this chapter.

15 Sec. 58. Section 805.8B, subsection 2, paragraph a,
16 Code 2014, is amended to read as follows:

17 a. For registration or user permit violations under
18 section 321G.3, subsection 1, or section 321G.4B, the
19 scheduled fine is fifty dollars.

DIVISION VII

INCOME TAX CHECKOFFS

22 Sec. 59. **NEW SECTION. 422.12D Income tax checkoff**
23 **for the Iowa state fair foundation fund.**

24 1. A person who files an individual or a joint
25 income tax return with the department of revenue under
26 section 422.13 may designate one dollar or more to be
27 paid to the foundation fund of the Iowa state fair
28 foundation as established in section 173.22. If the
29 refund due on the return or the payment remitted with
30 the return is insufficient to pay the amount designated
31 by the taxpayer to the foundation fund, the amount
32 designated shall be reduced to the remaining amount
33 of the refund or the remaining amount remitted with
34 the return. The designation of a contribution to the
35 foundation fund under this section is irrevocable.

36 2. The director of revenue shall draft the income
37 tax form to allow the designation of contributions to
38 the foundation fund on the tax return. The department,
39 on or before January 31, shall transfer the total
40 amount designated on the tax form due in the preceding
41 year to the foundation fund. However, before a
42 checkoff pursuant to this section shall be permitted,
43 all liabilities on the books of the department of
44 administrative services and accounts identified
45 as owing under section 8A.504 and the political
46 contribution allowed under section 68A.601 shall be
47 satisfied.

48 3. The Iowa state fair board may authorize payment
49 from the foundation fund for purposes of supporting
50 foundation activities.

H8387.4505.H (3) 85

-17-

md

17/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 4. The department of revenue shall adopt rules to
2 implement this section.

3 5. This section is subject to repeal under section
4 422.12E.

5 Sec. 60. NEW SECTION. 422.12L Joint income tax
6 checkoff for veterans trust fund and volunteer fire
7 fighter preparedness fund.

8 1. A person who files an individual or a joint
9 income tax return with the department of revenue under
10 section 422.13 may designate one dollar or more to
11 be paid jointly to the veterans trust fund created
12 in section 35A.13 and to the volunteer fire fighter
13 preparedness fund created in section 100B.13. If the
14 refund due on the return or the payment remitted with
15 the return is insufficient to pay the additional amount
16 designated by the taxpayer, the amount designated
17 shall be reduced to the remaining amount of refund or
18 the remaining amount remitted with the return. The
19 designation of a contribution under this section is
20 irrevocable.

21 2. The director of revenue shall draft the income
22 tax form to allow the designation of contributions
23 to the veterans trust fund and to the volunteer fire
24 fighter preparedness fund as one checkoff on the
25 tax return. The department of revenue, on or before
26 January 31, shall transfer one-half of the total
27 amount designated on the tax return forms due in the
28 preceding calendar year to the veterans trust fund and
29 the remaining one-half to the volunteer fire fighter
30 preparedness fund. However, before a checkoff pursuant
31 to this section shall be permitted, all liabilities on
32 the books of the department of administrative services
33 and accounts identified as owing under section 8A.504
34 and the political contribution allowed under section
35 68A.601 shall be satisfied.

36 3. The department of revenue shall adopt rules to
37 administer this section.

38 4. This section is subject to repeal under section
39 422.12E.

40 Sec. 61. REPEAL. Sections 422.12D and 422.12L,
41 Code 2014, are repealed.

42 Sec. 62. RETROACTIVE APPLICABILITY. This division
43 of this Act applies retroactively to January 1, 2014,
44 for tax years beginning on or after that date.

45 DIVISION VIII

46 COUNTY RECORDERS

47 Sec. 63. Section 321G.1, Code 2014, is amended by
48 adding the following new subsection:

49 NEW SUBSECTION. 9A. "Document" means a snowmobile
50 certificate of title, registration certificate or

H8387.4505.H (3) 85

-18-

md

18/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 registration renewal, user permit, or duplicate
2 special registration certificate issued by the county
3 recorder's office.

4 Sec. 64. Section 321G.29, subsection 7, Code 2014,
5 is amended to read as follows:

6 7. The county recorder shall maintain a an
7 electronic record of any certificate of title which the
8 county recorder issues ~~and shall keep each certificate~~
9 ~~of title on record~~ until the certificate of title has
10 been inactive for five years. When issuing a title
11 for a new snowmobile, the county recorder shall obtain
12 and keep the certificate of origin on file ~~a copy of~~
13 ~~the certificate of origin~~. When issuing a title and
14 registration for a used snowmobile for which there
15 is no title or registration, the county recorder
16 shall obtain and keep on file the affidavit for the
17 unregistered and untitled snowmobile.

18 Sec. 65. Section 321G.32, subsection 1, paragraph
19 a, Code 2014, is amended to read as follows:

20 a. To perfect the security interest, an application
21 for security interest must be presented along with
22 the original title. The county recorder shall note
23 the security interest on the face of the title and ~~on~~
24 ~~in the copy in electronic record maintained by the~~
25 ~~recorder's office~~.

26 Sec. 66. Section 321I.1, Code 2014, is amended by
27 adding the following new subsection:

28 NEW SUBSECTION. 10A. "Document" means an
29 all-terrain vehicle certificate of title, vehicle
30 registration or registration renewal, user permit, or
31 duplicate special registration certificate issued by
32 the county recorder's office.

33 Sec. 67. Section 321I.31, subsection 7, Code 2014,
34 is amended to read as follows:

35 7. The county recorder shall maintain a an
36 electronic record of any certificate of title which the
37 county recorder issues ~~and shall keep each certificate~~
38 ~~of title on record~~ until the certificate of title has
39 been inactive for five years. When issuing a title for
40 a new all-terrain vehicle, the county recorder shall
41 obtain and keep the certificate of origin on file ~~a~~
42 ~~copy of the certificate of origin~~. When issuing a
43 title and registration for a used all-terrain vehicle
44 for which there is no title or registration, the county
45 recorder shall obtain and keep on file the affidavit
46 for the unregistered and untitled all-terrain vehicle.

47 Sec. 68. Section 321I.34, subsection 1, paragraph
48 a, Code 2014, is amended to read as follows:

49 a. To perfect the security interest, an application
50 for security interest must be presented along with

H8387.4505.H (3) 85

-19-

md

19/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 the original title. The county recorder shall note
2 the security interest on the face of the title and on
3 in the ~~copy~~ in electronic record maintained by the
4 recorder's office.

5 Sec. 69. Section 331.602, subsection 39, Code 2014,
6 is amended to read as follows:

7 39. Accept applications for passports if approved
8 to accept such applications by the United States
9 department of state.

10 Sec. 70. Section 359A.10, Code 2014, is amended to
11 read as follows:

12 **359A.10 Entry and record of orders.**

13 Such orders, decisions, notices, and returns shall
14 be entered of record at length by the township clerk,
15 and a copy thereof certified by the township clerk to
16 the county recorder, who shall record the same in the
17 recorder's office in ~~a book kept for that purpose~~ the
18 manner specified in sections 558.49 and 558.52, and
19 index such record in the name of each adjoining owner
20 as grantor to the other. The county recorder shall
21 collect fees specified in section 331.604.

22 Sec. 71. Section 462A.5, subsection 1, paragraph a,
23 Code 2014, is amended to read as follows:

24 a. The owner of the vessel shall file an
25 application for registration with the appropriate
26 county recorder on forms provided by the commission.
27 The application shall be completed and signed by the
28 owner of the vessel and shall be accompanied by the
29 appropriate fee, and the writing fee specified in
30 section 462A.53. Upon applying for registration, the
31 owner shall display a bill of sale, receipt, or other
32 satisfactory proof of ownership as provided by the
33 rules of the commission to the county recorder. If the
34 county recorder is not satisfied as to the ownership
35 of the vessel or that there are no undisclosed
36 security interests in the vessel, the county recorder
37 may register the vessel but shall, as a condition
38 of issuing a registration certificate, require the
39 applicant to follow the procedure provided in section
40 462A.5A. Upon receipt of the application in approved
41 form accompanied by the required fees, the county
42 recorder shall enter it upon the records of the
43 recorder's office and shall issue to the applicant a
44 pocket-size registration certificate. The certificate
45 shall be executed ~~in triplicate, one copy to be and~~
46 ~~delivered to the owner, one copy to the commission, and~~
47 ~~one copy to be retained on file by the county recorder.~~
48 The county recorder shall maintain an electronic
49 record of each registration certificate issued by the
50 county recorder under this chapter. The registration

H8387.4505.H (3) 85

-20-

md

20/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 certificate shall bear the number awarded to the
2 vessel, the passenger capacity of the vessel, and the
3 name and address of the owner. In the use of all
4 vessels except nonpowered sailboats, nonpowered canoes,
5 and commercial vessels, the registration certificate
6 shall be carried either in the vessel or on the person
7 of the operator of the vessel when in use. In the
8 use of nonpowered sailboats, nonpowered canoes, or
9 commercial vessels, the registration certificate may be
10 kept on shore in accordance with rules adopted by the
11 commission. The operator shall exhibit the certificate
12 to a peace officer upon request or, when involved in an
13 occurrence of any nature with another vessel or other
14 personal property, to the owner or operator of the
15 other vessel or personal property.

16 Sec. 72. Section 462A.77, subsection 7, Code 2014,
17 is amended to read as follows:

18 7. The county recorder shall maintain a an
19 electronic record of any each certificate of title
20 ~~which issued by the county recorder issues and shall~~
21 ~~keep each certificate of title on record under this~~
22 ~~chapter until the certificate of title has been~~
23 ~~inactive for five years.~~

24 Sec. 73. Section 462A.84, subsection 1, paragraph
25 a, Code 2014, is amended to read as follows:

26 a. To perfect the security interest, an application
27 for security interest must be presented along with
28 the original title. The county recorder shall note
29 the security interest on the face of the title and ~~on~~
30 ~~in the copy in electronic record maintained by the~~
31 ~~recorder's office.~~

32 DIVISION IX

33 FOSTER CARE

34 Sec. 74. Section 232.46, subsection 1, Code 2014,
35 is amended to read as follows:

36 1. a. At any time after the filing of a petition
37 and prior to entry of an order of adjudication
38 pursuant to section 232.47, the court may suspend the
39 proceedings on motion of the county attorney or the
40 child's counsel, enter a consent decree, and continue
41 the case under terms and conditions established by
42 the court. These terms and conditions may include
43 ~~prohibiting a any of the following:~~

44 (1) Prohibiting the child from driving a motor
45 vehicle for a specified period of time or under
46 specific circumstances, or the supervision. The court
47 shall notify the department of transportation of an
48 order prohibiting the child from driving.

49 (2) Supervision of the child by a juvenile court
50 officer or other agency or person designated by the

H8387.4505.H (3) 85

-21-

md

21/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 court, and may include the requirement that the child
2 perform.

3 (3) The performance of a work assignment of
4 value to the state or to the public or make making
5 restitution consisting of a monetary payment to the
6 victim or a work assignment directly of value to the
7 victim. The court shall notify the state department of
8 transportation of an order prohibiting the child from
9 driving.

10 (4) Placement of the child in a group or family
11 foster care setting, if the court makes a determination
12 that such a placement is the least restrictive option.

13 b. A child's need for shelter placement or for
14 inpatient mental health or substance abuse treatment
15 does not preclude entry or continued execution of a
16 consent decree.

17 Sec. 75. Section 234.35, subsection 1, paragraph e,
18 Code 2014, is amended to read as follows:

19 e. When a court has entered an order transferring
20 the legal custody of the child to a foster care
21 placement pursuant to section 232.46, section 232.52,
22 subsection 2, paragraph "d", or section 232.102,
23 subsection 1. However, payment for a group foster
24 care placement shall be limited to those placements
25 which conform to a service area group foster care plan
26 established pursuant to section 232.143.

27 DIVISION X
28 SOLAR TAX CREDITS

29 Sec. 76. 2014 Iowa Acts, Senate File 2340, if
30 enacted, is amended by adding the following new
31 section:

32 Sec. _____. Section 422.33, subsection 29, paragraph
33 a, Code 2014, is amended to read as follows:

34 a. The taxes imposed under this division shall
35 be reduced by a solar energy system tax credit equal
36 to fifty sixty percent of the federal energy credit
37 related to solar energy systems provided in section 48
38 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III) of
39 the Internal Revenue Code, not to exceed fifteen twenty
40 thousand dollars.

41 Sec. 77. Section 422.11L, subsection 1, paragraphs
42 a and b, as amended by 2014 Iowa Acts, Senate File
43 2340, section 1, if enacted, is amended to read as
44 follows:

45 a. Sixty percent of the federal residential energy
46 efficient property credit related to solar energy
47 provided in section 25D 25E(a)(1) and section 25D(a)(2)
48 of the Internal Revenue Code, not to exceed five
49 thousand dollars.

50 b. Sixty percent of the federal energy credit

H8387.4505.H (3) 85

-22-

md

22/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 related to solar energy systems provided in section
2 ~~48~~ 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III)
3 of the Internal Revenue Code, not to exceed twenty
4 thousand dollars.
5 Sec. 78. Section 422.60, subsection 12, paragraph
6 a, as enacted by 2014 Iowa Acts, House File 2438,
7 section 27, is amended to read as follows:
8 a. The taxes imposed under this division shall
9 be reduced by a solar energy system tax credit equal
10 to ~~fifty~~ sixty percent of the federal energy credit
11 related to solar energy systems provided in section ~~48~~
12 48(a)(2)(A)(i)(II) and section 48(a)(2)(A)(i)(III) of
13 the Internal Revenue Code, not to exceed ~~fifteen~~ twenty
14 thousand dollars.
15 Sec. 79. EFFECTIVE UPON ENACTMENT. The following
16 provision or provisions of this division of this Act,
17 being deemed of immediate importance, take effect upon
18 enactment:
19 1. The section amending section 422.33, subsection
20 29, paragraph "a".
21 2. The section amending section 422.11L, subsection
22 1, paragraphs "a" and "b".
23 3. The section amending section 422.60, subsection
24 12, paragraph "a".
25 Sec. 80. RETROACTIVE APPLICABILITY. The following
26 provision or provisions of this division of this Act
27 apply retroactively to January 1, 2014, for tax years
28 beginning on or after that date:
29 1. The section of this Act amending section 422.33,
30 subsection 29, paragraph "a".
31 2. The section of this Act amending section
32 422.11L, subsection 1, paragraphs "a" and "b".
33 3. The section of this Act amending section 422.60,
34 subsection 12, paragraph "a".
35 DIVISION XI
36 ACCOUNT FOR HEALTH CARE TRANSFORMATION
37 Sec. 81. ACCOUNT FOR HEALTH CARE TRANSFORMATION
38 — FY 2013-2014. As of December 31, 2013, any funds
39 remaining in the account for health care transformation
40 created in section 249J.23, Code 2013, shall revert to
41 the general fund of the state.
42 Sec. 82. IOWACARE ACCOUNT. Until June 30, 2015,
43 any funds remaining in the IowaCare account created in
44 section 249J.24, Code 2013, shall remain available and
45 are appropriated to the department of human services
46 for the payment of valid claims.
47 Sec. 83. IMMEDIATE EFFECTIVE DATE. This division
48 of this Act, being deemed of immediate importance,
49 takes effect upon enactment.
50 Sec. 84. RETROACTIVE APPLICABILITY. The

H8387.4505.H (3) 85

-23-

md

23/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 following sections of this division of this Act apply
2 retroactively to July 1, 2013:

3 1. The section relating to the reversion of funds
4 remaining in the account for health care transformation
5 to the general fund of the state.

6 2. The section relating to availability and
7 appropriation of the funds remaining in the IowaCare
8 account.

9 DIVISION XII
10 FLOOD MITIGATION

11 Sec. 85. Section 28F.12, Code 2014, is amended to
12 read as follows:

13 **28F.12 Additional powers of the entity.**

14 If the entity is comprised solely of cities,
15 counties, and sanitary districts established under
16 chapter 358 or any combination thereof, the entity
17 shall have in addition to all the powers enumerated
18 in this chapter, the powers which a county has with
19 respect to solid waste disposal projects and the powers
20 which a governmental entity established under chapter
21 418 has with respect to projects undertaken under
22 chapter 418.

23 Sec. 86. Section 418.1, subsection 4, paragraph c,
24 unnumbered paragraph 1, Code 2014, is amended to read
25 as follows:

26 A joint board or other legal or administrative
27 entity established or designated in an agreement
28 pursuant to chapter 28E or chapter 28F between any of
29 the following:

30 Sec. 87. Section 418.1, subsection 4, paragraph
31 c, Code 2014, is amended by adding the following new
32 subparagraph:

33 **NEW SUBPARAGRAPH.** (4) One or more counties, one or
34 more cities that are located in whole or in part within
35 those counties, and a sanitary district established
36 under chapter 358 or a combined water and sanitary
37 district established under chapter 357 or 358 located
38 in whole or in part within those counties.

39 Sec. 88. Section 418.11, subsection 3, paragraph c,
40 Code 2014, is amended to read as follows:

41 c. For projects approved for a governmental entity
42 as defined in section 418.1, subsection 4, paragraph
43 "c", the area used to determine the sales tax increment
44 shall include the incorporated areas of each city that
45 is participating in the chapter 28E agreement, the
46 unincorporated areas of the each participating county,
47 and the area of any participating drainage district not
48 otherwise included in the areas of the participating
49 cities or county, and the area of any participating
50 sanitary district or combined water and sanitary

H8387.4505.H (3) 85

-24-

md

24/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

1 district not otherwise included in the areas of the
2 participating cities or county, as applicable.

3 Sec. 89. Section 418.12, subsection 5, Code 2014,
4 is amended to read as follows:

5 5. If the department of revenue determines that
6 the revenue accruing to the fund or accounts within
7 the fund exceeds ~~thirty million dollars or exceeds the~~
8 amount necessary for the purposes of this chapter ~~if the~~
9 ~~amount necessary is less than thirty million dollars,~~
10 then, as limited by subsection 4, paragraph "a", those
11 excess moneys shall be credited by the department of
12 revenue for deposit in the general fund of the state.

13 Sec. 90. Section 418.14, subsection 3, paragraph a,
14 Code 2014, is amended to read as follows:

15 a. Except as otherwise provided in this section,
16 bonds issued pursuant to this section shall not be
17 subject to the provisions of any other law or charter
18 relating to the authorization, issuance, or sale of
19 bonds. Bonds issued under this section shall not limit
20 or restrict the authority of a governmental entity as
21 defined in section 418.1, subsection 4, paragraphs
22 "a" and "b", or a city, county, or drainage special
23 district participating in a governmental entity as
24 defined in section 418.1, subsection 4, paragraph "c",
25 to issue bonds for the project under other provisions
26 of the Code.

27 Sec. 91. Section 418.15, subsection 4, Code 2014,
28 is amended to read as follows:

29 4. All property and improvements acquired by
30 a governmental entity as defined in section 418.1,
31 subsection 4, paragraph "c", relating to a project
32 shall be transferred to the county, city, or drainage
33 special district designated in the chapter 28E
34 agreement to receive such property and improvements.
35 The county, city, or drainage special district to which
36 such property or improvements are transferred shall,
37 unless otherwise provided in the chapter 28E agreement,
38 be solely responsible for the ongoing maintenance and
39 support of such property and improvements.

40 Sec. 92. EFFECTIVE UPON ENACTMENT. This division
41 of this Act, being deemed of immediate importance,
42 takes effect upon enactment.>

43 2. Title page, by striking lines 1 through 3
44 and inserting <An Act relating to state and local
45 finances by making appropriations, providing for fees,
46 providing for legal responsibilities, and providing for
47 regulatory requirements, taxation, and other properly
48 related matters, and including penalties and effective
49 date and retroactive applicability provisions.>

H8387.4505.H (3) 85

-25-

md

25/25



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

Senate File 2364 - Introduced

SENATE FILE 2364
BY COMMITTEE ON WAYS AND MEANS

(SUCCESSOR TO SSB 3225)

A BILL FOR

1 An Act relating to state regulatory matters by exempting from
2 sales tax the furnishing of certain environmental testing
3 services, modifying the registration and regulation of
4 motorsports recreational vehicles, recreational vehicle
5 operators, and recreational vehicle cargo, and including
6 fees, penalties, and effective date provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6234SV (1) 85
mm/jp



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 DIVISION I
2 ENVIRONMENTAL TESTING SALES TAX EXEMPTION
3 Section 1. Section 423.2, subsection 6, paragraph a, Code
4 2014, is amended to read as follows:
5 a. The sales price of any of the following enumerated
6 services is subject to the tax imposed by subsection
7 5: alteration and garment repair; armored car; vehicle repair;
8 battery, tire, and allied; investment counseling; service
9 charges of all financial institutions; barber and beauty;
10 boat repair; vehicle wash and wax; campgrounds; carpentry;
11 roof, shingle, and glass repair; dance schools and dance
12 studios; dating services; dry cleaning, pressing, dyeing, and
13 laundering; electrical and electronic repair and installation;
14 excavating and grading; farm implement repair of all kinds;
15 flying service; furniture, rug, carpet, and upholstery
16 repair and cleaning; fur storage and repair; golf and country
17 clubs and all commercial recreation; gun and camera repair;
18 house and building moving; household appliance, television,
19 and radio repair; janitorial and building maintenance or
20 cleaning; jewelry and watch repair; lawn care, landscaping,
21 and tree trimming and removal; limousine service, including
22 driver; machine operator; machine repair of all kinds; motor
23 repair; motorcycle, scooter, and bicycle repair; oilers and
24 lubricators; office and business machine repair; painting,
25 papering, and interior decorating; parking facilities; pay
26 television; pet grooming; pipe fitting and plumbing; wood
27 preparation; executive search agencies; private employment
28 agencies, excluding services for placing a person in employment
29 where the principal place of employment of that person is to
30 be located outside of the state; reflexology; security and
31 detective services, excluding private security and detective
32 services furnished by a peace officer with the knowledge and
33 consent of the chief executive officer of the peace officer's
34 law enforcement agency; sewage services for nonresidential
35 commercial operations; sewing and stitching; shoe repair



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 and shoeshine; sign construction and installation; storage
2 of household goods, mini-storage, and warehousing of raw
3 agricultural products; swimming pool cleaning and maintenance;
4 tanning beds or salons; taxidermy services; telephone
5 answering service; test laboratories, including mobile testing
6 laboratories and field testing by testing laboratories,
7 and excluding tests on humans or animals and excluding
8 environmental testing services; termite, bug, roach, and
9 pest eradicators; tin and sheet metal repair; transportation
10 service consisting of the rental of recreational vehicles or
11 recreational boats, or the rental of motor vehicles subject
12 to registration which are registered for a gross weight of
13 thirteen tons or less for a period of sixty days or less, or
14 the rental of aircraft for a period of sixty days or less;
15 Turkish baths, massage, and reducing salons, excluding services
16 provided by massage therapists licensed under chapter 152C;
17 water conditioning and softening; weighing; welding; well
18 drilling; wrapping, packing, and packaging of merchandise other
19 than processed meat, fish, fowl, and vegetables; wrecking
20 service; wrecker and towing.

21 Sec. 2. Section 423.3, Code 2014, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 101. The sales price from the furnishing
24 of environmental testing services performed at a laboratory,
25 in the field, or by a mobile testing service. For purposes
26 of this subsection, "*environmental testing*" means the physical
27 or chemical analysis of soil, water, wastewater, air, or
28 solid waste performed in order to ascertain the presence of
29 environmental contamination or degradation.

30 Sec. 3. EFFECTIVE DATE. This division of this Act takes
31 effect July 1, 2015.

32 DIVISION II

33 MOTORSPORTS RECREATIONAL VEHICLES

34 Sec. 4. Section 321.1, subsection 8, Code 2014, is amended
35 by adding the following new paragraph:

LSB 6234SV (1) 85

-2-

mm/jp

2/10

Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 NEW PARAGRAPH. *i.* A person operating a motorsports
2 recreational vehicle is not a chauffeur.

3 Sec. 5. Section 321.1, subsection 36C, Code 2014, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *e. "Motorsports recreational vehicle" means*
6 a modified motor vehicle used for the purpose of participating
7 in motorsports competitions and consisting of a conversion unit
8 mounted on a truck tractor or motor truck chassis such that the
9 motor vehicle can be used as a conveyance on the highway and as
10 a temporary or recreational dwelling. The motor vehicle must
11 have at least four of the permanently installed systems listed
12 in paragraph "d", two of which shall be systems specified in
13 paragraph "d", subparagraph (1), (4), or (5).

14 Sec. 6. Section 321.109, subsection 1, paragraph a, Code
15 2014, is amended to read as follows:

16 a. The annual fee for all motor vehicles including vehicles
17 designated by manufacturers as station wagons, 1993 and
18 subsequent model year multipurpose vehicles, and 2010 and
19 subsequent model year motor trucks with an unladen weight of
20 ten thousand pounds or less, except motor trucks registered
21 under section 321.122, business-trade trucks, special trucks,
22 motor homes, motorsports recreational vehicles, ambulances,
23 hearses, motorcycles, motorized bicycles, and 1992 and older
24 model year multipurpose vehicles, shall be equal to one
25 percent of the value as fixed by the department plus forty
26 cents for each one hundred pounds or fraction thereof of
27 weight of vehicle, as fixed by the department. The weight
28 of a motor vehicle, fixed by the department for registration
29 purposes, shall include the weight of a battery, heater,
30 bumpers, spare tire, and wheel. Provided, however, that for
31 any new vehicle purchased in this state by a nonresident
32 for removal to the nonresident's state of residence the
33 purchaser may make application to the county treasurer in
34 the county of purchase for a transit plate for which a fee
35 of ten dollars shall be paid. And provided, however, that

LSB 6234SV (1) 85

mm/jp

3/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 for any used vehicle held by a registered dealer and not
2 currently registered in this state, or for any vehicle held
3 by an individual and currently registered in this state,
4 when purchased in this state by a nonresident for removal to
5 the nonresident's state of residence, the purchaser may make
6 application to the county treasurer in the county of purchase
7 for a transit plate for which a fee of three dollars shall
8 be paid. The county treasurer shall issue a nontransferable
9 certificate of registration for which no refund shall be
10 allowed; and the transit plates shall be void thirty days
11 after issuance. Such purchaser may apply for a certificate
12 of title by surrendering the manufacturer's or importer's
13 certificate or certificate of title, duly assigned as provided
14 in this chapter. In this event, the treasurer in the county
15 of purchase shall, when satisfied with the genuineness and
16 regularity of the application, and upon payment of a fee of
17 twenty dollars, issue a certificate of title in the name and
18 address of the nonresident purchaser delivering the title
19 to the owner. If there is a security interest noted on the
20 title, the county treasurer shall mail to the secured party an
21 acknowledgment of the notation of the security interest. The
22 county treasurer shall not release a security interest that
23 has been noted on a title issued to a nonresident purchaser
24 as provided in this paragraph. The application requirements
25 of section 321.20 apply to a title issued as provided in this
26 subsection, except that a natural person who applies for a
27 certificate of title shall provide either the person's social
28 security number, passport number, or driver's license number,
29 whether the license was issued by this state, another state, or
30 another country. The provisions of this subsection relating to
31 multipurpose vehicles are effective for all 1993 and subsequent
32 model years. The annual registration fee for multipurpose
33 vehicles that are 1992 model years and older shall be in
34 accordance with section 321.124.

35 Sec. 7. Section 321.124, Code 2014, is amended by adding the

LSB 6234SV (1) 85

-4-

mm/jp

4/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 following new subsection:

2 NEW SUBSECTION. 4. a. The annual registration fee
3 for a motorsports recreational vehicle is four hundred
4 dollars. For purposes of determining that portion of the
5 annual registration fee which is based upon the value of the
6 motorsports recreational vehicle, sixty percent of the annual
7 fee is attributable to the value of the vehicle. The owner of
8 a motor vehicle registered under this subsection shall certify
9 at the time of registration or renewal of registration that
10 the motor vehicle is used for the purpose of participating in
11 motorsports competition.

12 b. If the department determines by audit or other means that
13 a person registered a vehicle as a motorsports recreational
14 vehicle that is not qualified for such registration, the person
15 shall be required to pay the difference between the regular
16 annual registration fees owed for the vehicle for each year the
17 vehicle was registered in violation of this section and the
18 fees actually paid.

19 c. If the department determines by audit or other
20 means that the person knowingly registered a vehicle as a
21 motorsports recreational vehicle that is not qualified for such
22 registration, the person shall be required to pay a penalty
23 for improper registration in the amount of seven hundred fifty
24 dollars for each registration year in which the vehicle was
25 registered in violation of this section, not to exceed two
26 thousand two hundred fifty dollars.

27 Sec. 8. Section 321.152, subsection 1, Code 2014, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. g. Twenty-five percent of each penalty
30 collected for improper motorsports recreational vehicle
31 registration under section 321.124, subsection 4.

32 Sec. 9. Section 321.284A, subsection 2, Code 2014, is
33 amended to read as follows:

34 2. This section does not apply to a passenger being
35 transported in a motor vehicle designed, maintained, or used



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 primarily for the transportation of persons for compensation,
2 or a passenger being transported in the living quarters of a
3 motor home, motorsports recreational vehicle, manufactured or
4 mobile home, travel trailer, or fifth-wheel travel trailer.

5 Sec. 10. Section 321.310, subsections 1 and 2, Code 2014,
6 are amended to read as follows:

7 1. A motor vehicle shall not tow a four-wheeled trailer with
8 a steering axle, or more than one trailer or semitrailer, or
9 both in combination. However, this section does not apply to
10 a motor home, motorsports recreational vehicle, multipurpose
11 vehicle, motor truck, truck tractor or road tractor nor to
12 a farm tractor towing a four-wheeled trailer, nor to a farm
13 tractor or motor vehicle towing implements of husbandry, nor to
14 a wagon box trailer used by a farmer in transporting produce,
15 farm products, or supplies hauled to and from market.

16 2. Any four-wheeled trailer towed by a truck tractor or road
17 tractor shall be registered under the semitrailer provisions
18 of section 321.123~~7~~; provided, ~~however,~~ that the provisions
19 of this ~~section~~ subsection shall not ~~be applicable~~ apply to
20 motor vehicles drawing wagon box trailers used by a farmer
21 in transporting produce, farm products, or supplies hauled
22 to and from market, or to a four-wheeled trailer towed by a
23 motorsports recreational vehicle.

24 Sec. 11. Section 321.446, subsection 3, paragraph b, Code
25 2014, is amended to read as follows:

26 b. The transportation of children in 1965 model year or
27 older vehicles, authorized emergency vehicles, buses, or motor
28 homes, or motorsports recreational vehicles except when a child
29 is transported in a motor home's or motorsports recreational
30 vehicle's passenger seat situated directly to the driver's
31 right.

32 Sec. 12. Section 321.450, Code 2014, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 6. Notwithstanding other provisions of
35 this section, rules adopted under this section applicable to

LSB 6234SV (1) 85

-6-

mm/jp

6/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 the transportation of any fuel used in race car engines shall
2 not apply to the transportation of such fuel if the fuel is
3 contained in the fuel cells of a race car being transported in
4 a trailer and the fuel cells are certified by SFI foundation,
5 inc.

6 Sec. 13. Section 321.454, Code 2014, is amended to read as
7 follows:

8 **321.454 Width of vehicles.**

9 The total outside width of a vehicle or the load on
10 the vehicle shall not exceed eight feet six inches. This
11 limitation on the total outside width of a vehicle or the load
12 on the vehicle does not include safety equipment on a vehicle
13 or incidental appurtenances or retracted awnings on motor
14 homes, motorsports recreational vehicles, travel trailers, or
15 fifth-wheel travel trailers if the incidental appurtenance or
16 retracted awning is less than six inches in width. However,
17 if hay, straw, or stover is moved on an implement of husbandry
18 and the total width of load of the implement of husbandry
19 exceeds eight feet six inches, the implement of husbandry is
20 not subject to the permit requirements of chapter 321E. If
21 hay, straw, or stover is moved on any other vehicle subject to
22 registration, the moves are subject to the permit requirements
23 for transporting loads exceeding eight feet six inches in width
24 as required under chapter 321E.

25 Sec. 14. Section 321.457, subsection 2, paragraph j, Code
26 2014, is amended to read as follows:

27 j. A motor home or motorsports recreational vehicle shall
28 not have an overall length, excluding front and rear bumpers
29 and safety equipment, in excess of forty-five feet.

30 Sec. 15. Section 321.457, subsection 2, Code 2014, is
31 amended by adding the following new paragraph:

32 NEW PARAGRAPH. o. Notwithstanding any other provision of
33 this chapter, and to the extent allowed under federal law, a
34 combination of two vehicles coupled together, one of which is
35 a motorsports recreational vehicle, shall not have an overall

LSB 6234SV (1) 85

-7-

mm/jp

7/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 length in excess of eighty-five feet.

2 Sec. 16. Section 322.2, subsection 11, Code 2014, is amended
3 to read as follows:

4 11. "Manufacturer" means any person engaged in the business
5 of fabricating or assembling motor vehicles. "Manufacturer"
6 does not include a person who converts, modifies, or alters a
7 completed motor vehicle manufactured by another person or a
8 person who assembles a glider kit vehicle as defined in section
9 321.1. "Manufacturer" includes a person who uses a completed
10 motor vehicle manufactured by another person to construct
11 a class "B" motor home as defined in section 321.124 or a
12 motorsports recreational vehicle as defined in section 321.1.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill relates to state regulatory matters.

17 ENVIRONMENTAL TESTING SALES TAX EXEMPTION. Division I of
18 the bill provides a sales tax exemption for the furnishing of
19 environmental testing services performed at a laboratory, in
20 the field, or by a mobile testing service. "Environmental
21 testing" means the physical or chemical analysis of soil,
22 water, wastewater, air, or solid waste performed in order
23 to ascertain the presence of environmental contamination or
24 degradation.

25 By operation of Code section 423.6, an item exempt from the
26 imposition of the sales tax is also exempt from the use tax
27 imposed in Code section 423.5.

28 The division takes effect July 1, 2015.

29 MOTORSPORTS RECREATIONAL VEHICLES. Division II of the
30 bill establishes a new motorsports recreational vehicle
31 classification for purposes of motor vehicle regulation and
32 driver licensing. The bill defines "motorsports recreational
33 vehicle" as a modified motor vehicle used for the purpose
34 of participating in motorsports competitions, consisting of
35 a conversion unit mounted on a truck tractor or motor truck

LSB 6234SV (1) 85

-8-

mm/jp

8/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 chassis, and containing systems similar to the systems required
2 in a motor home, so that the motor vehicle can be used as a
3 conveyance on the highway and as a temporary or recreational
4 dwelling.

5 The annual registration fee for a motorsports recreational
6 vehicle is \$400. At the time of registration or registration
7 renewal, the owner must certify that the vehicle is used for
8 the purpose of participating in motorsports competitions. If
9 the department of transportation determines that a person
10 registered a vehicle as a motorsports recreational vehicle that
11 was not qualified for such registration, the person shall be
12 required to pay the difference between the regular registration
13 fee for the vehicle and the fee actually paid for each year
14 the vehicle was improperly registered. In addition, the
15 bill imposes a penalty of \$750 for each year the vehicle was
16 improperly registered, not to exceed \$2,250. From each penalty
17 collected by a county treasurer for improper registration of
18 a motorsports recreational vehicle, the county shall retain
19 25 percent of the penalty for deposit in the county's general
20 fund.

21 The bill specifies that a person operating a motorsports
22 recreational vehicle is not a chauffeur.

23 Current motor vehicle provisions applicable to motor homes
24 are amended to apply to motorsports recreational vehicles as
25 well. These provisions include an exception to open-container
26 restrictions for a passenger being transported in the living
27 quarters of a motorsports recreational vehicle; child restraint
28 requirements for a child seated directly to the driver's
29 right; the exclusion of incidental appurtenances or retracted
30 awnings from vehicle width limitations; and an exemption from
31 restrictions on towing a four-wheeled trailer with a steering
32 axle or more than one trailer or semitrailer. The bill states
33 that a four-wheeled trailer towed by a motorsports recreational
34 vehicle is not required to be registered as a semitrailer.

35 The bill limits the length of a motorsports recreational



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. 2364

1 vehicle, excluding front and rear bumpers and safety equipment,
2 to not more than 45 feet. To the extent allowed under federal
3 law, the maximum length for a combination of two vehicles
4 coupled together, one of which is a motorsports recreational
5 vehicle, is 85 feet.

6 Under current law, the department of transportation has
7 adopted rules, in compliance with federal regulations,
8 relating to the transportation of hazardous materials. The
9 bill provides that rules applicable to the transportation
10 of any fuel used in race car engines shall not apply to the
11 transportation of fuel contained in the fuel cells of a race
12 car being transported in a trailer if the fuel cells are
13 certified by SFI foundation, inc.

14 The bill amends the definition of "manufacturer" to include
15 a person who uses a completed motor vehicle manufactured by
16 another person to construct a motorsports recreational vehicle.
17 The definition is applicable to the licensing and regulation
18 of motor vehicle manufacturers, distributors, wholesalers, and
19 dealers.



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

Senate Resolution 121 - Introduced

SENATE RESOLUTION NO. 121

BY GRONSTAL

1 A Resolution conferring authority upon the standing
2 Committee on Government Oversight to conduct an
3 investigation of specified issues relating to the
4 Iowa Department of Administrative Services and the
5 Iowa Department of Workforce Development.

6 WHEREAS, concerns have been raised regarding the
7 management at the Iowa Department of Administrative
8 Services established pursuant to Iowa Code chapter
9 8A; and

10 WHEREAS, the concerns have specifically addressed
11 confidential settlement agreements with former
12 employees and related payments, hiring and employment
13 practices, and bidding, purchasing, and contracting
14 policies and practices in several state agencies; and

15 WHEREAS, concerns have been raised regarding
16 the management at the Iowa Department of Workforce
17 Development established pursuant to Iowa Code chapter
18 84A; and

19 WHEREAS, the concerns have specifically addressed
20 the management of Administrative Law Judges in the
21 department's Unemployment Insurance Services Division,
22 the effect of this management on decisions made
23 by Administrative Law Judges, and management and
24 fiduciary practices related to unemployment insurance
25 compensation; and

26 WHEREAS, the standing Committee on Government
27 Oversight is empowered, pursuant to Iowa Code sections
28 2.15 and 2.23, to require information of state agencies

LSB 6223XS (2) 85

-1- rn/rj

1/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.R. 121

1 and departments and to conduct investigations with
2 authority to call witnesses, administer oaths, issue
3 subpoenas, and cite for contempt; NOW THEREFORE,

4 BE IT RESOLVED BY THE SENATE, That the standing
5 Committee on Government Oversight is authorized to
6 conduct an investigation of issues relating to the
7 management practices and procedures at state agencies
8 and departments; and

9 BE IT FURTHER RESOLVED, That the investigation shall
10 be conducted in accordance with the full authority
11 granted the standing Committee on Government Oversight
12 by law including but not limited to the authority to
13 conduct the investigation, call witnesses, administer
14 oaths, issue subpoenas, cite and impose punishment for
15 contempt, and otherwise exercise and enforce these
16 investigative powers as authorized by and in accordance
17 with law, subject to the following:

18 1. The scope of the investigation shall be
19 confined to confidential settlement agreements with
20 former employees and related payments, hiring and
21 employment practices, and bidding, purchasing, and
22 contracting policies and practices at the Department
23 of Administrative Services and other state departments
24 and agencies; and the management of Administrative
25 Law Judges in the Unemployment Insurance Services
26 Division, the effect of this management on decisions
27 made by Administrative Law Judges, and management and
28 fiduciary practices related to unemployment insurance
29 compensation.

30 2. Subpoena authority conferred by this Resolution

LSB 6223XS (2) 85

-2-

rn/rj

2/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.R. 121

1 shall exist until December 31, 2014.

2 3. A citation and punishment for contempt may be
3 issued and imposed according to the following schedule:

4 a. An initial citation may be issued by the
5 standing Committee on Government Oversight by a
6 majority vote of the members of the committee and is
7 punishable by a fine of \$500.

8 b. A second or subsequent citation may be issued
9 by the standing Committee on Government Oversight by
10 a majority vote of the members of the committee and is
11 punishable by a fine of \$1,000.

12 c. In addition to the fines authorized pursuant to
13 paragraphs "a" and "b", the Senate may by resolution
14 impose a punishment of imprisonment for a period of up
15 to six months.

16 4. Subpoenas and citations for contempt shall be
17 signed by the Chairperson of the standing Committee on
18 Government Oversight, the President of the Senate, and
19 the Secretary of the Senate. Warrants for contempt
20 shall be signed by the President of the Senate and the
21 Secretary of the Senate.

22 BE IT FURTHER RESOLVED, That the standing Committee
23 on Government Oversight may meet at such times and at
24 such places as the Chairperson of the Committee deems
25 necessary; and

26 BE IT FURTHER RESOLVED, That the investigation shall
27 continue until completed, or until such time as the
28 investigation is terminated by the standing Committee
29 on Government Oversight by majority vote of the members
30 of the committee.

LSB 6223XS (2) 85

-3- rn/rj

3/3



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

Senate Study Bill 3225 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
WAYS AND MEANS BILL BY
CHAIRPERSON BOLKCOM)

A BILL FOR

1 An Act relating to state regulatory matters by exempting from
2 sales tax the furnishing of certain environmental testing
3 services, modifying the registration and regulation of
4 motorsports recreational vehicles, recreational vehicle
5 operators, and recreational vehicle cargo, and including
6 fees, penalties, and effective date provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

TLSB 6234XC (3) 85
mm/jp



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 DIVISION I
2 ENVIRONMENTAL TESTING SALES TAX EXEMPTION
3 Section 1. Section 423.2, subsection 6, paragraph a, Code
4 2014, is amended to read as follows:
5 a. The sales price of any of the following enumerated
6 services is subject to the tax imposed by subsection
7 5: alteration and garment repair; armored car; vehicle repair;
8 battery, tire, and allied; investment counseling; service
9 charges of all financial institutions; barber and beauty;
10 boat repair; vehicle wash and wax; campgrounds; carpentry;
11 roof, shingle, and glass repair; dance schools and dance
12 studios; dating services; dry cleaning, pressing, dyeing, and
13 laundering; electrical and electronic repair and installation;
14 excavating and grading; farm implement repair of all kinds;
15 flying service; furniture, rug, carpet, and upholstery
16 repair and cleaning; fur storage and repair; golf and country
17 clubs and all commercial recreation; gun and camera repair;
18 house and building moving; household appliance, television,
19 and radio repair; janitorial and building maintenance or
20 cleaning; jewelry and watch repair; lawn care, landscaping,
21 and tree trimming and removal; limousine service, including
22 driver; machine operator; machine repair of all kinds; motor
23 repair; motorcycle, scooter, and bicycle repair; oilers and
24 lubricators; office and business machine repair; painting,
25 papering, and interior decorating; parking facilities; pay
26 television; pet grooming; pipe fitting and plumbing; wood
27 preparation; executive search agencies; private employment
28 agencies, excluding services for placing a person in employment
29 where the principal place of employment of that person is to
30 be located outside of the state; reflexology; security and
31 detective services, excluding private security and detective
32 services furnished by a peace officer with the knowledge and
33 consent of the chief executive officer of the peace officer's
34 law enforcement agency; sewage services for nonresidential
35 commercial operations; sewing and stitching; shoe repair



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 and shoeshine; sign construction and installation; storage
2 of household goods, mini-storage, and warehousing of raw
3 agricultural products; swimming pool cleaning and maintenance;
4 tanning beds or salons; taxidermy services; telephone
5 answering service; test laboratories, including mobile testing
6 laboratories and field testing by testing laboratories,
7 and excluding tests on humans or animals and excluding
8 environmental testing services; termite, bug, roach, and
9 pest eradicators; tin and sheet metal repair; transportation
10 service consisting of the rental of recreational vehicles or
11 recreational boats, or the rental of motor vehicles subject
12 to registration which are registered for a gross weight of
13 thirteen tons or less for a period of sixty days or less, or
14 the rental of aircraft for a period of sixty days or less;
15 Turkish baths, massage, and reducing salons, excluding services
16 provided by massage therapists licensed under chapter 152C;
17 water conditioning and softening; weighing; welding; well
18 drilling; wrapping, packing, and packaging of merchandise other
19 than processed meat, fish, fowl, and vegetables; wrecking
20 service; wrecker and towing.

21 Sec. 2. Section 423.3, Code 2014, is amended by adding the
22 following new subsection:

23 NEW SUBSECTION. 101. The sales price from the furnishing
24 of environmental testing services performed at a laboratory,
25 in the field, or by a mobile testing service. For purposes
26 of this subsection, "*environmental testing*" means the physical
27 or chemical analysis of soil, water, wastewater, air, or
28 solid waste performed in order to ascertain the presence of
29 environmental contamination or degradation.

30 Sec. 3. EFFECTIVE DATE. This division of this Act takes
31 effect July 1, 2015.

32 DIVISION II

33 MOTORSPORTS RECREATIONAL VEHICLES

34 Sec. 4. Section 321.1, subsection 8, Code 2014, is amended
35 by adding the following new paragraph:

LSB 6234XC (3) 85

-2-

mm/jp

2/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 NEW PARAGRAPH. *i.* A person operating a motorsports
2 recreational vehicle is not a chauffeur.

3 Sec. 5. Section 321.1, subsection 36C, Code 2014, is amended
4 by adding the following new paragraph:

5 NEW PARAGRAPH. *e.* "*Motorsports recreational vehicle*" means
6 a modified motor vehicle used for the purpose of participating
7 in motorsports competitions and consisting of a conversion unit
8 mounted on a truck tractor or motor truck chassis such that the
9 motor vehicle can be used as a conveyance on the highway and as
10 a temporary or recreational dwelling. The motor vehicle must
11 have at least four of the permanently installed systems listed
12 in paragraph "*d*", two of which shall be systems specified in
13 paragraph "*d*", subparagraph (1), (4), or (5).

14 Sec. 6. Section 321.109, subsection 1, paragraph a, Code
15 2014, is amended to read as follows:

16 *a.* The annual fee for all motor vehicles including vehicles
17 designated by manufacturers as station wagons, 1993 and
18 subsequent model year multipurpose vehicles, and 2010 and
19 subsequent model year motor trucks with an unladen weight of
20 ten thousand pounds or less, except motor trucks registered
21 under section 321.122, business-trade trucks, special trucks,
22 motor homes, motorsports recreational vehicles, ambulances,
23 hearses, motorcycles, motorized bicycles, and 1992 and older
24 model year multipurpose vehicles, shall be equal to one
25 percent of the value as fixed by the department plus forty
26 cents for each one hundred pounds or fraction thereof of
27 weight of vehicle, as fixed by the department. The weight
28 of a motor vehicle, fixed by the department for registration
29 purposes, shall include the weight of a battery, heater,
30 bumpers, spare tire, and wheel. Provided, however, that for
31 any new vehicle purchased in this state by a nonresident
32 for removal to the nonresident's state of residence the
33 purchaser may make application to the county treasurer in
34 the county of purchase for a transit plate for which a fee
35 of ten dollars shall be paid. And provided, however, that

LSB 6234XC (3) 85

-3-

mm/jp

3/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 for any used vehicle held by a registered dealer and not
2 currently registered in this state, or for any vehicle held
3 by an individual and currently registered in this state,
4 when purchased in this state by a nonresident for removal to
5 the nonresident's state of residence, the purchaser may make
6 application to the county treasurer in the county of purchase
7 for a transit plate for which a fee of three dollars shall
8 be paid. The county treasurer shall issue a nontransferable
9 certificate of registration for which no refund shall be
10 allowed; and the transit plates shall be void thirty days
11 after issuance. Such purchaser may apply for a certificate
12 of title by surrendering the manufacturer's or importer's
13 certificate or certificate of title, duly assigned as provided
14 in this chapter. In this event, the treasurer in the county
15 of purchase shall, when satisfied with the genuineness and
16 regularity of the application, and upon payment of a fee of
17 twenty dollars, issue a certificate of title in the name and
18 address of the nonresident purchaser delivering the title
19 to the owner. If there is a security interest noted on the
20 title, the county treasurer shall mail to the secured party an
21 acknowledgment of the notation of the security interest. The
22 county treasurer shall not release a security interest that
23 has been noted on a title issued to a nonresident purchaser
24 as provided in this paragraph. The application requirements
25 of section 321.20 apply to a title issued as provided in this
26 subsection, except that a natural person who applies for a
27 certificate of title shall provide either the person's social
28 security number, passport number, or driver's license number,
29 whether the license was issued by this state, another state, or
30 another country. The provisions of this subsection relating to
31 multipurpose vehicles are effective for all 1993 and subsequent
32 model years. The annual registration fee for multipurpose
33 vehicles that are 1992 model years and older shall be in
34 accordance with section 321.124.

35 Sec. 7. Section 321.124, Code 2014, is amended by adding the



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 following new subsection:

2 NEW SUBSECTION. 4. a. The annual registration fee
3 for a motorsports recreational vehicle is four hundred
4 dollars. For purposes of determining that portion of the
5 annual registration fee which is based upon the value of the
6 motorsports recreational vehicle, sixty percent of the annual
7 fee is attributable to the value of the vehicle. The owner of
8 a motor vehicle registered under this subsection shall certify
9 at the time of registration or renewal of registration that
10 the motor vehicle is used for the purpose of participating in
11 motorsports competition.

12 b. If the department determines by audit or other means that
13 a person registered a vehicle as a motorsports recreational
14 vehicle that is not qualified for such registration, the person
15 shall be required to pay the difference between the regular
16 annual registration fees owed for the vehicle for each year the
17 vehicle was registered in violation of this section and the
18 fees actually paid.

19 c. If the department determines by audit or other
20 means that the person knowingly registered a vehicle as a
21 motorsports recreational vehicle that is not qualified for such
22 registration, the person shall be required to pay a penalty
23 for improper registration in the amount of seven hundred fifty
24 dollars for each registration year in which the vehicle was
25 registered in violation of this section, not to exceed two
26 thousand two hundred fifty dollars.

27 Sec. 8. Section 321.152, subsection 1, Code 2014, is amended
28 by adding the following new paragraph:

29 NEW PARAGRAPH. g. Twenty-five percent of each penalty
30 collected for improper motorsports recreational vehicle
31 registration under section 321.124, subsection 4.

32 Sec. 9. Section 321.284A, subsection 2, Code 2014, is
33 amended to read as follows:

34 2. This section does not apply to a passenger being
35 transported in a motor vehicle designed, maintained, or used



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 primarily for the transportation of persons for compensation,
2 or a passenger being transported in the living quarters of a
3 motor home, motorsports recreational vehicle, manufactured or
4 mobile home, travel trailer, or fifth-wheel travel trailer.

5 Sec. 10. Section 321.310, subsections 1 and 2, Code 2014,
6 are amended to read as follows:

7 1. A motor vehicle shall not tow a four-wheeled trailer with
8 a steering axle, or more than one trailer or semitrailer, or
9 both in combination. However, this section does not apply to
10 a motor home, motorsports recreational vehicle, multipurpose
11 vehicle, motor truck, truck tractor or road tractor nor to
12 a farm tractor towing a four-wheeled trailer, nor to a farm
13 tractor or motor vehicle towing implements of husbandry, nor to
14 a wagon box trailer used by a farmer in transporting produce,
15 farm products, or supplies hauled to and from market.

16 2. Any four-wheeled trailer towed by a truck tractor or road
17 tractor shall be registered under the semitrailer provisions
18 of section 321.123*7*; provided, ~~however,~~ that the provisions
19 of this ~~section~~ subsection shall not ~~be applicable~~ apply to
20 motor vehicles drawing wagon box trailers used by a farmer
21 in transporting produce, farm products, or supplies hauled
22 to and from market, or to a four-wheeled trailer towed by a
23 motorsports recreational vehicle.

24 Sec. 11. Section 321.446, subsection 3, paragraph b, Code
25 2014, is amended to read as follows:

26 b. The transportation of children in 1965 model year or
27 older vehicles, authorized emergency vehicles, buses, or motor
28 homes, or motorsports recreational vehicles except when a child
29 is transported in a motor home's or motorsports recreational
30 vehicle's passenger seat situated directly to the driver's
31 right.

32 Sec. 12. Section 321.450, Code 2014, is amended by adding
33 the following new subsection:

34 NEW SUBSECTION. 6. Notwithstanding other provisions of
35 this section, rules adopted under this section applicable to

LSB 6234XC (3) 85

-6-

mm/jp

6/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 the transportation of any fuel used in race car engines shall
2 not apply to the transportation of such fuel if the fuel is
3 contained in the fuel cells of a race car being transported in
4 a trailer and the fuel cells are certified by SFI foundation,
5 inc.

6 Sec. 13. Section 321.454, Code 2014, is amended to read as
7 follows:

8 **321.454 Width of vehicles.**

9 The total outside width of a vehicle or the load on
10 the vehicle shall not exceed eight feet six inches. This
11 limitation on the total outside width of a vehicle or the load
12 on the vehicle does not include safety equipment on a vehicle
13 or incidental appurtenances or retracted awnings on motor
14 homes, motorsports recreational vehicles, travel trailers, or
15 fifth-wheel travel trailers if the incidental appurtenance or
16 retracted awning is less than six inches in width. However,
17 if hay, straw, or stover is moved on an implement of husbandry
18 and the total width of load of the implement of husbandry
19 exceeds eight feet six inches, the implement of husbandry is
20 not subject to the permit requirements of chapter 321E. If
21 hay, straw, or stover is moved on any other vehicle subject to
22 registration, the moves are subject to the permit requirements
23 for transporting loads exceeding eight feet six inches in width
24 as required under chapter 321E.

25 Sec. 14. Section 321.457, subsection 2, paragraph j, Code
26 2014, is amended to read as follows:

27 j. A motor home or motorsports recreational vehicle shall
28 not have an overall length, excluding front and rear bumpers
29 and safety equipment, in excess of forty-five feet.

30 Sec. 15. Section 321.457, subsection 2, Code 2014, is
31 amended by adding the following new paragraph:

32 NEW PARAGRAPH. o. Notwithstanding any other provision of
33 this chapter, and to the extent allowed under federal law, a
34 combination of two vehicles coupled together, one of which is
35 a motorsports recreational vehicle, shall not have an overall

LSB 6234XC (3) 85

-7-

mm/jp

7/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 length in excess of eighty-five feet.

2 Sec. 16. Section 322.2, subsection 11, Code 2014, is amended
3 to read as follows:

4 11. "Manufacturer" means any person engaged in the business
5 of fabricating or assembling motor vehicles. "Manufacturer"
6 does not include a person who converts, modifies, or alters a
7 completed motor vehicle manufactured by another person or a
8 person who assembles a glider kit vehicle as defined in section
9 321.1. "Manufacturer" includes a person who uses a completed
10 motor vehicle manufactured by another person to construct
11 a class "B" motor home as defined in section 321.124 or a
12 motorsports recreational vehicle as defined in section 321.1.

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with
15 the explanation's substance by the members of the general assembly.

16 This bill relates to state regulatory matters.

17 ENVIRONMENTAL TESTING SALES TAX EXEMPTION. Division I of
18 the bill provides a sales tax exemption for the furnishing of
19 environmental testing services performed at a laboratory, in
20 the field, or by a mobile testing service. "Environmental
21 testing" means the physical or chemical analysis of soil,
22 water, wastewater, air, or solid waste performed in order
23 to ascertain the presence of environmental contamination or
24 degradation.

25 By operation of Code section 423.6, an item exempt from the
26 imposition of the sales tax is also exempt from the use tax
27 imposed in Code section 423.5.

28 The division takes effect July 1, 2015.

29 MOTORSPORTS RECREATIONAL VEHICLES. Division II of the
30 bill establishes a new motorsports recreational vehicle
31 classification for purposes of motor vehicle regulation and
32 driver licensing. The bill defines "motorsports recreational
33 vehicle" as a modified motor vehicle used for the purpose
34 of participating in motorsports competitions, consisting of
35 a conversion unit mounted on a truck tractor or motor truck

LSB 6234XC (3) 85

-8-

mm/jp

8/10



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 chassis, and containing systems similar to the systems required
2 in a motor home, so that the motor vehicle can be used as a
3 conveyance on the highway and as a temporary or recreational
4 dwelling.

5 The annual registration fee for a motorsports recreational
6 vehicle is \$400. At the time of registration or registration
7 renewal, the owner must certify that the vehicle is used for
8 the purpose of participating in motorsports competitions. If
9 the department of transportation determines that a person
10 registered a vehicle as a motorsports recreational vehicle that
11 was not qualified for such registration, the person shall be
12 required to pay the difference between the regular registration
13 fee for the vehicle and the fee actually paid for each year
14 the vehicle was improperly registered. In addition, the
15 bill imposes a penalty of \$750 for each year the vehicle was
16 improperly registered, not to exceed \$2,250. From each penalty
17 collected by a county treasurer for improper registration of
18 a motorsports recreational vehicle, the county shall retain
19 25 percent of the penalty for deposit in the county's general
20 fund.

21 The bill specifies that a person operating a motorsports
22 recreational vehicle is not a chauffeur.

23 Current motor vehicle provisions applicable to motor homes
24 are amended to apply to motorsports recreational vehicles as
25 well. These provisions include an exception to open-container
26 restrictions for a passenger being transported in the living
27 quarters of a motorsports recreational vehicle; child restraint
28 requirements for a child seated directly to the driver's
29 right; the exclusion of incidental appurtenances or retracted
30 awnings from vehicle width limitations; and an exemption from
31 restrictions on towing a four-wheeled trailer with a steering
32 axle or more than one trailer or semitrailer. The bill states
33 that a four-wheeled trailer towed by a motorsports recreational
34 vehicle is not required to be registered as a semitrailer.

35 The bill limits the length of a motorsports recreational



Iowa General Assembly
Daily Bills, Amendments and Study Bills
May 01, 2014

S.F. _____

1 vehicle, excluding front and rear bumpers and safety equipment,
2 to not more than 45 feet. To the extent allowed under federal
3 law, the maximum length for a combination of two vehicles
4 coupled together, one of which is a motorsports recreational
5 vehicle, is 85 feet.

6 Under current law, the department of transportation has
7 adopted rules, in compliance with federal regulations,
8 relating to the transportation of hazardous materials. The
9 bill provides that rules applicable to the transportation
10 of any fuel used in race car engines shall not apply to the
11 transportation of fuel contained in the fuel cells of a race
12 car being transported in a trailer if the fuel cells are
13 certified by SFI foundation, inc.

14 The bill amends the definition of "manufacturer" to include
15 a person who uses a completed motor vehicle manufactured by
16 another person to construct a motorsports recreational vehicle.
17 The definition is applicable to the licensing and regulation
18 of motor vehicle manufacturers, distributors, wholesalers, and
19 dealers.